



**CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT
FINAL MITIGATED NEGATIVE DECLARATION – MST2006-00758**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date, this Final Mitigated Negative Declaration has been prepared for the following project:

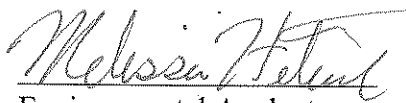
PROJECT LOCATION: 101 E. Victoria Street

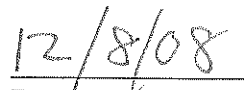
PROJECT PROPONENT: 101 E. Victoria, a California Limited Partnership

PROJECT DESCRIPTION: The project consists of a proposal to demolish an existing two-story 11,900 square foot commercial office building and construct 17,603 square feet of commercial space comprised of 50 condominium office units on a parcel of approximately 19,725 square feet. The proposal consists of one-, two and three-story elements and would have a maximum height of 35 feet. The commercial condominium units would range in size from approximately 294 to 333 square feet each. The first floor would consist of 22 units and a common locker room, shower and restroom facility, the second floor would consist of 17 units and a common conference room and the third floor would consist of 11 units. A total of forty-five parking spaces would be provided in an underground garage, with eight reserved for the adjacent parcel located at 109 E. Victoria Street.

MITIGATED NEGATIVE DECLARATION FINDING:

Based on the attached Initial Study prepared for the proposed project, it has been determined that, with implementation of identified required mitigation measures, the proposed project will not have a significant effect on the environment.


Environmental Analyst


Date

CITY OF SANTA BARBARA
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

FINAL INITIAL STUDY/ ENVIRONMENTAL CHECKLIST MST2006-00758

PROJECT: 101 E. VICTORIA STREET

December 8, 2008

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) is to be prepared or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

APPLICANT/ PROPERTY OWNER

Applicant: Cearnal Andrulaitis, LLP

Property Owner: 101 E. Victoria, a California Limited Partnership

PROJECT ADDRESS/LOCATION (see *Exhibit A-Vicinity Map*)

The 19,725 square foot project site (APN 029-071-013) is located at 101 E. Victoria Street, on the corner of Anacapa and Victoria Streets. Access to the project site is provided by two existing driveways, one on Victoria Street and one on Anacapa Street. The site is in the Downtown neighborhood of the City of Santa Barbara.

PROJECT DESCRIPTION (see *Exhibit B-Project Plans*)

Project Components: The project site is currently developed with an 11,900 square foot, two-story office building. The objective of the proposed project is to develop a new 50-unit commercial condominium development. The major elements of the proposed project are described below.

Proposed Building: The existing 11,900 square foot, two-story office building would be demolished and a new 17,603 square foot commercial building consisting of 50 condominium office units would be constructed.

The proposal consists of one-, two and three-story elements and would have a maximum height of 35 feet. The commercial condominium units would range in size from approximately 294 to 333 square feet each. The first floor would consist of 22 units and a common locker room, shower and restroom facility. The second floor would consist of 17 units and a common conference room. The third floor would consist of 11 units.

The 14-foot high walls associated with that portion of the existing building located adjacent to the Arlington Court residential condominium development would remain. The Arlington Court condominium development has an easement to maintain the exterior of the walls that face their property.

Parking: A total of forty-five parking spaces would be provided in an underground garage, with eight of the spaces reserved for the adjacent parcel located at 109 E. Victoria Street. The underground parking garage would have an area of 15,381 square feet. The project would provide 6 of the 45 proposed parking spaces using a Klaus Parking lift system (Model 2062-185). The lift system involves movable platforms, one above the other, so that each of the three parking spaces would accommodate two vehicles. The vehicles would be accessed by raising and lowering the platforms. In order to access the vehicle on the second level, the first level platform would be lowered into an underground pit. Because the system does not require removing one vehicle to access another, the lifts are not considered tandem parking.

Easements: Currently, there are reciprocal easements for vehicular and pedestrian access and parking between the subject parcel and the adjacent parcel (109 E. Victoria St.). As part of the proposed project, new easement agreements between the two parcels would be executed. A new parking and access easement would allow tenants of the adjacent parcel to use eight of the parking spaces within the underground garage. A new trash area and access easement would allow the subject property to use the trash area on the adjacent parcel. A light, air and landscaping easement located on the adjacent parcel would allow the proposed project to construct openings on the property line. In addition, a 10-foot wide subsurface easement is proposed to allow a portion of the underground parking garage to encroach into the adjacent parcel. The locations of the easements are shown on the project plans.

Demolition/Construction: The entire project construction period would require approximately 12 months. Demolition

and grading on the project site would take approximately 3 weeks and building construction would take approximately 11 months. Construction hours would be Monday through Friday, 8:00 AM to 5:00 PM.

Required Permits: The discretionary applications required for this project are:

1. Modification to allow less than the required number of parking spaces (SBMC§28.90);
2. Tentative Subdivision Map to create a one-lot subdivision for 50 commercial condominium units (SBMC§27.07);
3. Development Plan approval to allow 5,703 square feet of additional non-residential development (SBMC§28.87.300); and
4. Preliminary and Final Economic Development Determination (SBMC28.87.300) for 2,703 square feet of the proposed 5,703 square feet of additional non-residential development.

ENVIRONMENTAL SETTING

Existing Site Characteristics

Topography: The site has an average slope of 3.5%, sloping gradually in a southerly direction toward the public streets.

Seismic/Geologic Conditions: According to the City's Master Environmental Assessment (MEA), the project site is located in an area of "low damage level to single family and small two to three story structures, low to moderate level damage to large structures and moderate damage to old structures." The City's MEA indicates that the project site is located in an area of "minimal liquefaction potential" and "minimal erosion potential". The site is not located in an area of known or mapped faults, but would be subject to ground shaking due to earthquakes on nearby faults.

Flooding/Fire Hazard: The project site is not located in a flood hazard or High Fire Hazard area of the city.

Drainage: Storm water runoff drains via surface flow to the public street gutters. Storm water flows into the two existing drain inlets located near the intersection of Anacapa Street and Victoria Street that connect to 33" diameter and 66" diameter storm drain pipes.

Biological Resources: The project site is located in an urban setting surrounded by a mix of commercial and residential development. Vegetation onsite consists of twenty-three palm trees, one citrus tree, four Southern magnolia trees and one giant bird of paradise. There are no sensitive, endangered, rare or threatened species known to occur on the site.

Archaeological Resources: The City's MEA identifies the project site as being located in the following archaeological resource sensitivity zones: Hispanic-American Transition Period (1850-1870), American Period (1870-1900) and Early 20th Century (1900-1920). A Phase I Archaeological Resources Report, prepared by Dudek dated January 2008, concludes that the proposed project would not have the potential to result in significant impacts on either prehistoric or historic archeological resources.

Noise: Noise affecting the project site is primarily from traffic along Anacapa and Victoria Streets. The City's MEA indicates that ambient noise levels on the project property are between 60-65 dBA Ldn along Anacapa Street and less than 60 dBA Ldn for the remainder of the project site.

Hazards: Underground fuel storage tanks associated with a former gas station were previously removed from the project site. The project site is an active Leaking Underground Fuel Tank (LUFT) site which is required to be remediated according to a Corrective Action Plan approved by the Santa Barbara County Fire Department, Fire Prevention Division. The leaking underground fuel tanks resulted in hydrocarbon contamination of soil and groundwater on the site.. Remediation of the site includes the use of a soil vapor extraction system and groundwater monitoring wells. Groundwater testing is expected to continue for at least one more year.

Existing Land Use

Existing Facilities and Uses: The project site is currently developed with an 11,900 square foot, two-story office building. Also, equipment associated with soil and groundwater remediation activities are located in the southeast corner of the site.

Access and Parking: A total of 32 surface parking spaces are provided onsite. Access to the project site is provided by two existing driveways, one on Victoria Street and one on Anacapa Street. There are reciprocal easements for vehicular and pedestrian access and parking between the subject parcel and the adjacent parcel (109 E. Victoria St.).

PROPERTY CHARACTERISTICS

Site Information Summary

Assessor's Parcel Number:	029-071-013	General Plan Designation:	Commercial Office, Major Public & Institutional
Zoning:	C-2, Commercial	Parcel Size:	19,725 sq. ft.
Existing Land Use:	Commercial	Proposed Land Use:	Commercial
Slope:	Approximately 3.5% southerly slope		
SURROUNDING LAND USES:			
North:	Residential		
South:	Commercial		
East:	Commercial		
West:	Commercial and Residential		

Project Statistics

Commercial	Use	Square Feet (net)
First floor	22 units and common locker room	7,772 sq. ft.
Second Floor	17 units and common conference room	5,804 sq. ft.
Third Floor	11 units	3,493 sq. ft.
Underground Garage	45 parking spaces	15,746 sq. ft.

PLANS AND POLICY DISCUSSION

Land Use and Zoning Designations: The project site has a zoning designation of C-2, Commercial and a General Plan designation of Commercial Office and Major Public & Institutional. The proposed commercial office development is consistent with both the zoning and General Plan designations, and with approval of the parking modification, would be consistent with all zoning regulations.

General Plan Policies:

Land Use Element: The project site is located in the Downtown neighborhood, which is bounded on the north by Sola Street; on the south by Ortega Street; on the east by Santa Barbara Street; and on the west by De la Vina Street. The primary function for the Downtown is General Commercial and Office Use. The proposed project, consisting of fifty small office condominium units, is appropriate for the downtown area.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

A draft Mitigation Monitoring and Reporting Program has been prepared for the project in compliance with Public Resources Code §21081.6 (See *Exhibit C – MMRP*).

ENVIRONMENTAL CHECKLIST

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. If no impact would occur, **NO** should be checked. If the project might result in an impact, check **YES** indicating the potential level of significance as follows:

Significant: Known substantial environmental impacts. Further review needed to determine if there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts that need further review to determine significance level and whether mitigable.

Potentially Significant, Mitigable: Potentially significant impacts that can be avoided or reduced to less than significant levels with identified mitigation measures agreed-to by the applicant.

Less Than Significant: Impacts that are not substantial or significant.

1. AESTHETICS		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Affect a public scenic vista or designated scenic highway or highway/roadway eligible for designation as a scenic highway?		Less than significant
b)	Have a demonstrable negative aesthetic effect in that it is inconsistent with Architectural Board of Review or Historic Landmarks Guidelines or guidelines/criteria adopted as part of the Local Coastal Program?		Less than significant
c)	Create light or glare?		Less than significant

Visual Aesthetics - Discussion

Issues: Issues associated with visual aesthetics include the potential blockage of important public scenic views, project on-site visual aesthetics and compatibility with the surrounding area, and changes in exterior lighting.

Impact Evaluation Guidelines: Aesthetic quality, whether a project is visually pleasing or unpleasing, may be perceived and valued differently from one person to the next, and depends in part on the context of the environment in which a project is proposed. The significance of visual changes is assessed qualitatively based on consideration of the proposed physical change and project design within the context of the surrounding visual setting. First, the existing visual setting is reviewed to determine whether important existing visual aesthetics are involved, based on consideration of existing views, existing visual aesthetics on and around the site, and existing lighting conditions. Under CEQA, the evaluation of a project's potential impacts to scenic views is focused on views from public (as opposed to private) viewpoints. The importance of existing views is assessed qualitatively based on whether important visual resources such as mountains, skyline trees, or the coastline, can be seen, the extent and scenic quality of the views, and whether the views are experienced from public viewpoints. The visual changes associated with the project are then assessed qualitatively to determine whether the project would result in substantial effects associated with important public scenic views, on-site visual aesthetics, and lighting.

Significant visual aesthetics impacts may potentially result from:

- Substantial obstruction or degradation of important public scenic views, including important views from scenic highways; extensive grading and/or removal of substantial amounts of vegetation and trees visible from public areas without adequate landscaping; or substantial loss of important public open space.
- Substantial negative aesthetic effect or incompatibility with surrounding land uses or structures due to project size, massing, scale, density, architecture, signage, or other design features.
- Substantial light and/or glare that poses a hazard or substantial annoyance to adjacent land uses and sensitive receptors.

Visual Aesthetics – Existing Conditions and Project Impacts

1.a) Scenic Views

The City's Master Environmental Assessment (MEA) maps do not identify the parcel as being located in an area of visual sensitivity. The project site is located in an urban environment in the Downtown neighborhood of the City of Santa Barbara. The site is currently developed with a commercial office building and a surface parking lot and is surrounded by commercial and residential uses. The existing commercial buildings located to the east of the project site currently block views of the Santa Ynez Mountains from the sidewalk on Anacapa Street. Existing views of the Santa Ynez Mountains from the sidewalk on Victoria Street would not be affected by the project. The visual change resulting from the proposed project would not obstruct any public vantage points, and no designated open spaces would be impacted by the proposed project; therefore, the impacts to scenic views would be less than significant.

1.b) On-Site Aesthetics

The proposed project was reviewed by the Historic Landmarks Commission (HLC) on three occasions (see *Exhibit D-HLC Minutes*). On April 4, 2007, the Commission stating that the size, bulk and scale of the proposal was acceptable and requested only minor changes including more usable open space in the courtyard and more substantial landscaping.

The design of the proposed project is required to receive review and approval by the HLC for consistency with the El Pueblo Viejo District Guidelines. Projects consistent with the El Pueblo Viejo District Guidelines are generally found to not have significant aesthetic impacts. Based on the generally positive comments from the HLC, the project appears to be consistent with the El Pueblo Viejo District Guidelines. Therefore, the project's onsite aesthetics impacts would be less than significant.

1.c) Lighting

All proposed commercial exterior lighting would be subject to compliance with the requirements of SBMC Chapter 22.75, the City's Outdoor Lighting and Design Ordinance. The ordinance provides that exterior lighting be shielded and directed to the site such that no undue lighting or glare would affect surrounding residents or roads. Compliance with this ordinance as well as review and approval of the lighting plan by the HLC will ensure that the proposed exterior lighting does not result in a significant impact. As such, project impacts on lighting and glare would be less than significant.

Visual Aesthetics – Mitigation

No mitigation required.

2. AIR QUALITY		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Conflict with or obstruct implementation of the applicable air quality plan?		Less Than Significant
b)	Exceed any City air quality emission threshold? Long-term		Less Than Significant
	Short-term		Potentially Significant, Mitigable
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated in non-attainment under an applicable federal or state ambient air quality standard?		Less Than Significant
d)	Expose sensitive receptors to substantial pollutants?		Potentially Significant, Mitigable
e)	Create objectionable odors affecting a substantial number of people?		Less Than Significant

Air Quality - Discussion

Issues. Air quality issues involve pollutant emissions from vehicle exhaust and industrial or other stationary sources that contribute to smog, particulates and nuisance dust associated with grading and construction processes, and nuisance odors.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen [NO_x] and reactive organic compounds [ROG] (referred to as ozone precursors) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM₁₀ and PM_{2.5}) include demolition, grading, road dust and vehicle exhaust, as well as agricultural tilling and mineral quarries.

Sensitive receptors are defined as children, elderly, or ill people that can be more adversely affected by air quality emissions. Land uses typically associated with sensitive receptors include schools, parks, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and clinics. Stationary sources of air emission are of particular concern to sensitive receptors, as is construction dust and particulate matter.

Long-Term (Operational) Impact Guidelines: A project may create a significant air quality impact by:

- Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted County Clean Air Plan.

- Exposing sensitive receptors, such as children, the elderly or sick people to substantial pollutant exposure.
- Creating nuisance odors inconsistent with APCD regulations.
- Emitting (from all project sources, both stationary and mobile) more than 240 pounds per day for ROG and NO_x, and 80 pounds per day for PM₁₀;
- Emitting more than 25 pounds per day of ROG or NO_x from motor vehicle trips only;
- Contributing more than 800 peak hour trips to an individual intersection (CO);
- Causing a violation of any California or National Ambient Air Quality Standard (except ozone);
- Exceeding the APCD health risks public notification thresholds adopted by the APCD Board; and
- Being inconsistent with the adopted federal and state air quality plans for Santa Barbara.

Short-Term (Construction) Impacts Guidelines: A project would have a significant impact if combined emissions from all construction equipment exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period.

Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM₁₀ and PM_{2.5}). Substantial dust-related impacts may be potentially significant, but are generally considered mitigable with the application of standard dust control mitigation measures. Standard dust mitigation measures are applied to projects with either significant or less than significant effects.

Cumulative Impacts and Consistency with Clean Air Plan: If the project-specific impact exceeds the significance threshold, it is also considered to have a considerable contribution to cumulative impacts. When a project is not accounted for in the most recent Clean Air Plan (CAP) growth projections, then the project's impact may also be considered to have a considerable contribution to cumulative air quality impacts. The Santa Barbara County Association of Governments and Air Resources Board on-road emissions forecasts are used as a basis for vehicle emission forecasting. If a project provides for increased population growth beyond that forecasted in the most recently adopted CAP, or if the project does not incorporate appropriate air quality mitigation and control measures, or is inconsistent with APCD rules and regulations, then the project may be found inconsistent with the CAP and may have a significant impact on air quality.

Setting: The City of Santa Barbara is part of the South Central Coast Air Basin (SCCAB). The City is subject to the National Ambient Air Quality Standards and the California Ambient Air Quality Standards (CAAQS), which are more stringent than the national standards. The CAAQS apply to six pollutants: photochemical ozone, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulate matter, and lead. The Santa Barbara County Air Pollution Control District (SBCAPCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan.

The SCAB is considered in attainment of the federal eight-hour ozone standard, and in attainment of the state one-hour ozone standard. The SCAB does not meet the state standard for particulate matter less than ten microns in diameter (PM₁₀). There is not yet enough data to determine SCAB attainment status for either the federal standard for particulate matter less than 2.5 microns in diameter (PM_{2.5}) or the state PM_{2.5} standard, although SCAB will likely be in attainment of the federal 2.5 standard.

Air Quality – Existing Conditions and Project Impacts

2.a) Clean Air Plan

Direct and indirect emissions associated with the project are accounted for in the 2007 Clean Air Plan emissions growth assumptions. Appropriate air quality mitigation measures, including construction dust suppression, would be applied to the project, consistent with CAP and City policies. The project could be found consistent with the 2007 Clean Air Plan; therefore, impacts would be less than significant.

2.b) Air Pollutant Emissions

Long-Term (Operational) Emissions:

Long-term project emissions primarily stem from motor vehicles associated with the project and from stationary sources that may require permits from the APCD. Examples of stationary emission sources include gas stations, auto body shops, diesel generators, dry cleaners, oil and gas production and processing facilities, and water treatment facilities. Other stationary sources such as small wineries, residential heating and cooling equipment, wood burning stoves and fireplaces, or other individual appliances do not require permits from the APCD and are known as "area sources". The proposed project does not contain any stationary sources that require permits from APCD.

Using the URBEMIS 9.2.4 computer model, it is estimated that the long-term vehicle emissions resulting from the proposed project would be 0.45 pounds per day of ROG and 0.57 pounds per day of NO_x which is substantially below significance thresholds adopted by the APCD and the City of Santa Barbara. Therefore, project impacts related to long-term air quality would be less than significant.

Short-Term (Construction) Emissions:

The project would involve grading (8,500 cubic yards of cut), paving, and landscaping activities which could cause localized dust related impacts resulting in increases in particulate matter (PM₁₀ and PM_{2.5}). Utilizing the URBEMIS 9.2.4 computer model, it is estimated that the proposed project would result in 0.48 tons per year of PM₁₀ and 0.17 tons per year of PM_{2.5}. Dust-related impacts are considered potentially significant, but mitigable with the application of standard dust control mitigation measures.

Construction equipment would also emit NO_x and ROG. However, in order for NO_x and ROG emissions from construction equipment to be considered a significant environmental impact, combined emissions from all construction equipment would need to exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period. Using the URBEMIS 9.2.4 computer model, it is estimated that the proposed project will generate 1.71 tons per year of NO_x and 0.28 tons per year of ROG during construction. Therefore, project impacts related to short-term emissions impacts would be less than significant.

Cumulative Impacts:

Global Climate Change (GCC) is a change in the average weather of the earth that can be measured by changes in wind patterns, storms, precipitation and temperature. GCC is generally thought to be caused by increased emission of greenhouse gases (GHG) because these gases trap heat in the atmosphere. Common GHG include water vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, ozone and aerosols. Natural processes and human activities emit GHG and help to regulate the earth's temperature; however, it is believed that substantial emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. California is a substantial contributor of GHG (2nd largest contributor in the U.S. and the 16th largest contributor in the world), with transportation and electricity generation representing the two largest contributing factors (41 and 22 percent, respectively).

The carbon dioxide (CO₂) equivalent is a consistent methodology for comparing GHG emissions. Using the URBEMIS 9.2.4 computer model, the net increase in CO₂ emissions is anticipated to be 311.67 pounds per day.

As the project will result in increased vehicle trips, it will contribute, on a cumulative level, to the generation of GHG emissions. Because no significance thresholds or regulatory guidance currently exists for the generation of GHG emissions, impact determination would be overly speculative at this time. The City has adopted ordinances and guidelines in an effort to reduce the energy consumption of new construction. These measures to require more "green" construction serve to reduce GHG emissions from new and some refurbished development. Also, the City is in the process of preparing revisions to its General Plan. During the analysis of the impacts of the new plan, additional guidance on how to deal with GHG emissions is anticipated.

2.c) Cumulative Emissions

Since project impacts do not exceed any adopted significance thresholds and the project is consistent with the Clean Air Plan, cumulative project emissions impacts would be less than significant.

2.d) Sensitive Receptors

The proposed commercial office development would generate approximately 15 additional AM and 15 additional PM peak hour trips, which is substantially less than the 800 new peak hour vehicle trip threshold and therefore would be unlikely to generate dangerous concentrations of carbon monoxide at any location. Additionally, the project does not include stationary sources. However, sensitive receptors could be affected by fugitive dust and diesel particulate matter (diesel PM) from construction equipment and vehicle exhaust during project site grading. Particulate emissions from diesel exhaust are classified as carcinogenic by the State of California. Impacts associated with nuisance dust are considered potentially significant, mitigable through application of the identified mitigation measures.

2.e) Odors

The project is limited to office uses and would not include land uses involving odors or smoke. Therefore, project impacts related to odors are considered less than significant.

Air Quality – Required Mitigation

- AQ-1 Construction Dust Control – Minimize Disturbed Area/Speed.** Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- AQ-2 Construction Dust Control - Watering.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
- Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
- AQ-3 Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin.
- AQ-4 Construction Dust Control – Gravel Pads.** Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.
- AQ-5 Construction Dust Control – Stockpiling.** If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- AQ-6 Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:
- A. Seeding and watering until grass cover is grown;
 - B. Spreading soil binders;
 - C. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
 - D. Other methods approved in advance by the Air Pollution Control District.
- AQ-7 Construction Dust Control – Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- AQ-8 Construction Dust Control – PEC.** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District upon request.

Air Quality – Recommended Mitigation

The following shall be adhered to during project grading and construction to reduce NOx and diesel PM emissions from construction equipment:

- AQ-9 Portable Construction Equipment.** All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- AQ-10 Fleet Owners.** Fleet owners are subject to sections 2449, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of regulations (CCR) to reduce diesel particulate matter (and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. See <http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf>.
- AQ-11 Engine Size.** The engine size of construction equipment shall be the minimum practical size.
- AQ-12 Equipment Numbers.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- AQ-13 Equipment maintenance.** All construction equipment shall be maintained in tune per the manufacturer's specifications.

AQ-14 Catalytic Converters. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

AQ-15 Diesel Construction Equipment. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.

AQ-16 Engine Timing and Diesel Catalytic Converters. Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.

AQ-17 Diesel Replacements. Diesel powered equipment shall be replaced by electric equipment whenever feasible.

AQ-18 Idling Limitation. Idling of heavy-duty diesel trucks during loading and unloading shall be prohibited; electric auxiliary power units shall be used whenever possible.

Air Quality - Residual Impacts

Implementation of Mitigation Measures AQ-1 through AQ-8 would reduce impacts related to dust generation during construction to a less than significant level. Diesel equipment emissions impacts would be less than significant and would be further reduced by implementation of Mitigation Measures AQ-9 through AQ-18.

3. BIOLOGICAL RESOURCES		NO	YES
Could the project result in impacts to:			<i>Level of Significance</i>
a)	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	X	
b)	Locally designated historic, Landmark or specimen trees?	X	
c)	Natural communities (e.g. oak woodland, coastal habitat, etc.).	X	
d)	Wetland habitat (e.g. marsh, riparian, and vernal pool)?	X	
e)	Wildlife dispersal or migration corridors?	X	

Biological Resources - Discussion

Issues: Biological resources issues involve the potential for a project to substantially affect biologically-important natural vegetation and wildlife, particularly species that are protected as rare, threatened, or endangered by federal or state wildlife agencies and their habitat, native specimen trees, and designated landmark or historic trees.

Impact Evaluation Guidelines: Existing native wildlife and vegetation on a project site are qualitatively assessed to identify whether they constitute important biological resources, based on the types, amounts, and quality of the resources within the context of the larger ecological community. If important biological resources exist, project effects to the resources are qualitatively evaluated to determine whether the project would substantially affect these important biological resources. Significant biological resource impacts may potentially result from substantial disturbance to important wildlife and vegetation in the following ways:

- Elimination or substantial reduction or disruption of important natural vegetative communities and wildlife habitat or migration corridors, such as oak woodland, coastal strand, riparian, and wetlands.
- Substantial effect on protected plant or animal species listed or otherwise identified or protected as endangered, threatened or rare.
- Substantial loss or damage to important native specimen trees or designated landmark or historic trees.

Biological Resources – Existing Conditions and Project Impacts

3.a,b,c,d,e) Native Wildlife and Habitat Specimen Trees

The project site is located in an urban setting surrounded by a mix of commercial and residential development.

Vegetation onsite consists of twenty-two King Palms and an additional palm tree to be relocated onsite. One citrus tree, four Southern magnolia trees and one giant bird of paradise would be removed. These are not considered specimen or biologically significant trees. There are no sensitive, endangered, rare or threatened species known to occur on the site.

Biological Resources – Mitigation

No mitigation required.

4. CULTURAL RESOURCES		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Disturb archaeological resources?		Less than significant
b)	Affect a historic structure or site designated or eligible for designation as a National, State or City landmark?		Less than significant
c)	Have the potential to cause a physical change which would affect ethnic cultural values or restrict religious uses in the project area?	X	

Cultural Resources - Discussion

Issues: Archaeological resources are subsurface deposits dating from Prehistoric or Historical time periods. Native American culture appeared along the channel coast over 10,000 years ago, and numerous villages of the Barbareno Chumash flourished in coastal plains now encompassed by the City. Spanish explorers and eventual settlements in Santa Barbara occurred in the 1500's through 1700's. In the mid-1800's, the City began its transition from Mexican village to American city, and in the late 1800's through early 1900's experienced intensive urbanization. Historic resources are above-ground structures and sites from historical time periods with historic, architectural, or other cultural importance. The City's built environment has a rich cultural heritage with a variety of architectural styles, including the Spanish Colonial Revival style emphasized in the rebuilding of Santa Barbara's downtown following a destructive 1925 earthquake.

Impact Evaluation Guidelines: Archaeological and historical impacts are evaluated qualitatively by archeologists and historians. First, existing conditions on a site are assessed to identify whether important or unique archaeological or historical resources exist, based on criteria specified in the State CEQA *Guidelines* and City Master Environmental Assessment *Guidelines for Archaeological Resources and Historical Structures and Sites*, summarized as follows:

- Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with an important prehistoric or historic event or person.

If important archaeological or historic resources exist on the site, project changes are evaluated to determine whether they would substantially affect these important resources.

Cultural Resources – Existing Conditions and Project Impacts

4.a) Archaeological Resources

The City's MEA identifies the project site as being located in the following archaeological resource sensitivity zones: Hispanic-American Transition Period (1850-1870), American Period (1870-1900) and Early 20th Century (1900-1920). A Phase I Archaeological Resources Report prepared by Dudek dated January 2008, was accepted by the Historic Landmarks Commission on February 20, 2008. The report concludes that, due to the extent of previous ground disturbances associated with the previous installation and removal of underground storage tanks, project impacts on prehistoric resources are considered to be less than significant. However, as with any ground disturbing activity, there is the remote possibility of encountering unknown buried deposits. For this reason contractors and construction personnel should be alerted to the possibility of encountering archaeological resources within the project parcel. If archaeological resources are encountered, work in the area of the find should be halted and a professional archaeologist consulted.

4.b) Historic Resources

The existing commercial building located onsite, which is proposed to be demolished, is not designated as a City Landmark, Structure of Merit or potential historic structure. Therefore, the project would have *no impact* on an historic resource.

The existing two-story commercial building on the project site is currently built to the northerly property line. The existing residential structure immediately north of the project site, which may be an historic resource, is separated from the existing commercial building only by the residence's driveway. The proposed project would substantially increase the distance between the buildings because the driveway ramp to the underground parking garage would be located in the area where there is currently a building. Although the proposed building has two- and three-story elements, these would be located further from the adjacent residence than the existing building. Therefore, the project impact to the adjacent residence to the north would be *less than significant*.

4.c) Ethnic/Religious Resources

There is no evidence that the site involves any ethnic or religious use or importance. The project would have *no impact* on historic, ethnic or religious resources.

Cultural Resources – Recommended Mitigation

CR-1 Unanticipated Archaeological Resources Contractor Notification. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

Cultural Resources – Residual Impacts

Project specific impacts would be less than significant and further reduced by the recommended mitigation measure.

5. GEOPHYSICAL CONDITIONS		NO	YES <i>Level of Significance</i>
Could the project result in or expose people to:			
a)	Seismicity: fault rupture?	X	
b)	Seismicity: ground shaking or liquefaction?		Less Than Significant
c)	Seismicity: seiche or tsunami?	X	
d)	Landslides or mudslides?	X	
e)	Subsidence of the land?		Less Than Significant
f)	Expansive soils?		Less Than Significant
g)	Excessive grading or permanent changes in the topography?		Less Than Significant

Geophysical Conditions - Discussion

Issues: Geophysical impacts involve geologic and soil conditions and their potential to create physical hazards affecting persons or property; or substantial changes to the physical condition of the site. Included are earthquake-related conditions such as fault rupture, groundshaking, liquefaction (a condition in which saturated soil loses shear strength during earthquake shaking); or seismic sea waves; unstable soil or slope conditions, such as landslides, subsidence, expansive or compressible/collapsible soils; or erosion; and extensive grading or topographic changes.

Impact Evaluation Guidelines: Potentially significant geophysical impacts may result from:

- Exposure to or creation of unstable earth conditions due to seismic conditions, such as earthquake faulting, groundshaking, liquefaction, or seismic waves.
- Exposure to or creation of unstable earth conditions due to geologic or soil conditions, such as landslides, settlement, or expansive, collapsible/compressible, or expansive soils.
- Extensive grading on slopes exceeding 20%, substantial topographic change, destruction of unique physical features; substantial erosion of soils, overburden, or sedimentation of a water course.

Geophysical Conditions – Existing Conditions and Project Impacts

5.a-c) Seismic Hazards

Fault Rupture: The site is not located in an area of known or mapped faults, but would be subject to ground shaking due to earthquakes on nearby faults. Because fault rupture is unlikely and no faults are located on the site, there would be no impact related to fault rupture.

Ground Shaking and Liquefaction: The project site is located in a seismically active area of southern California (Seismic Zone 4 per 2001 California Building Code (CBC), Chapter 16, Figure 16-2). Significant ground shaking as a result of a local or regional earthquake is likely to occur during the life of the project. Generally, ground shaking is considered a potentially significant impact; however, structural requirements for the project required by the California Building Code (CBC) would ensure these impacts are *less than significant*. Additionally, the City's Master Environmental Assessment (MEA) indicates that the project site is located in an area of "low damage level to single family and small two to three story structures, low to moderate level damage to large structures and moderate damage to old structures." The MEA also indicates that the project site is located in an area of "minimal liquefaction potential." Future development would be required to comply with building code requirements that would minimize potential hazards associated with ground shaking. Therefore, impacts from ground shaking or liquefaction would be less than significant.

Seiche and Tsunami: Based on the City's Master Environmental Assessment map, the project site is not located in an area subject to seiche or tsunami. Therefore, there would be no impact related to seismic hazards such as seiche or tsunami.

5.d-f) Geologic or Soil Instability

Landslides: The project site is relatively flat, with an average slope of approximately 3.5%; therefore, no impact associated with landslide hazards would occur.

Subsidence/Expansive Soils: The City's Master Environmental Assessment (MEA) identifies the project site as having

minimal expansiveness of soil. Therefore, project impacts associated with subsidence and expansive soils would be less than significant.

5.g) Topography; Grading/ Erosion

Topographic Changes: The project site is relatively flat with an average slope of approximately 3.5%. The existing site topography would not need to be substantially altered to construct the project. Therefore, project impacts related to topography are less than significant.

Grading/ Erosion: The project proposes approximately 8,500 cubic yards of grading (cut) associated with the construction of the proposed underground garage. The grading would not substantially alter the existing topography. The City's MEA indicates that the project site is located in an area of "minimal erosion potential". Project impacts related to grading and erosion are considered less than significant.

Geophysical Conditions - Mitigation

No mitigation required.

6. HAZARDS	NO	YES
Could the project involve:		<i>Level of Significance</i>
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?		Less than significant
b) The creation of any health hazard or potential health hazards?		Less than significant
c) Exposure of people to existing sources of potential health hazards?		Potentially Significant, Mitigable
d) Increased fire hazard in areas with flammable brush, grass, or trees?	X	

Hazards - Discussion

Issues: Hazardous materials issues involve the potential for public health or safety impacts from exposure of persons or the environment to hazardous materials or risk of accidents involving combustible or toxic substances.

Impact Evaluation Guidelines: Significant impacts may result from the following:

- Siting of incompatible projects in close proximity to existing sources of safety risk, such as pipelines, industrial processes, railroads, airports, etc.
- Exposure of project occupants or construction workers to unremediated soil or groundwater contamination.
- Exposure of persons or the environment to hazardous substances due to improper use, storage, or disposal of hazardous materials.
- Siting of development in a high fire hazard areas or beyond adequate emergency response time, with inadequate access or water pressure, or otherwise in a manner that creates a fire hazard

Hazards – Existing Conditions and Project Impacts

6.a,b,c) Public Health and Safety

Hazardous Materials and Safety Risks:

The proposed commercial condominiums are not anticipated to create any new hazards. Hazardous materials usage on the site would likely be limited to the storage and use of relatively small quantities of materials such as paint, oils, cleaners, and landscape maintenance materials. Any usage of hazardous materials would be subject to all applicable State and local requirements for management and disposal of such materials. Therefore, impacts related to hazardous materials would be less than significant.

Temporary Exposure to Existing Hazardous Materials:

Underground fuel storage tanks associated with a former gas station were previously removed from the project site. The project site is an active Leaking Underground Fuel Tank (LUFT) site which is in the process of being remediated according to a Corrective Action Plan (Holguin, Fahan, & Associates, July 21, 2006) approved by the Santa Barbara County Fire Department, Fire Prevention Division. The leaking underground fuel tanks resulted in contamination of soil and groundwater on the site. Remediation of the site includes the use of a soil vapor extraction system and groundwater monitoring wells. Groundwater testing is expected to continue for at least one more year. During the remediation activities, use of the existing commercial office building has not been prohibited by the Santa Barbara County Fire Department. In addition, according to the Santa Barbara County Fire Department, the construction and operation of the proposed project would be allowed to occur concurrently with the remediation activities. The impact of hazards would be potentially significant, mitigable with the implementation of the approved Corrective Action Plan under the authority of the Santa Barbara County Fire Department, Fire Prevention Division.

6.d) Fire Hazard

The project site is not located in a designated high fire hazard area of the City. The project would be subject to Fire Department and City Ordinance requirements for adequate access, structural design and materials and onsite water for fire protection. Adherence to the standard requirements of the Uniform Fire Code with respect to building design would ensure that fire hazard impacts for the proposed project would be less than significant. Project impacts related to fire hazard would be less than significant.

Hazards – Required Mitigation

H-1: The applicant shall continue all remediation activities as required by the Santa Barbara County Fire Department, Fire Prevention Division pursuant to the approved Corrective Action Plan concurrent with the construction proposed project. The applicant shall actively pursue, to the extent feasible, completion of remediation activities and closure of the LUFT site prior to occupancy of the proposed building or as soon following occupancy as possible. All necessary precautions required by the Fire Department for the protection of construction workers and tenants shall be implemented during the construction and operation of the site.

Hazards – Residual Impacts

Implementation of the identified mitigation measure would reduce the impact of hazardous materials to less than significant levels.

7. NOISE Could the project result in:	NO	YES <i>Level of Significance</i>
a) Increases in existing noise levels?		Less Than Significant
b) Exposure of people to severe noise levels?		Less Than Significant

Noise - Discussion

Issues: Noise issues are associated with siting of a new noise-sensitive land use in an area subject to high ambient background noise levels, siting of a noise-generating land use next to existing noise-sensitive land uses, and/or short-term construction-related noise.

The primary source of ambient noise in the City is vehicle traffic noise. The City Master Environmental Assessment (MEA) *Noise Contour Map* identifies average ambient noise levels within the City.

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level (L_{dn}) or Community Noise Equivalence Level (CNEL) measurement scales. The L_{dn} averages the varying sound levels occurring over the 24-hour day and gives a 10 decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since L_{dn} is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dB (A) which average out over the 24-hour period. CNEL is similar to L_{dn} but includes a separate 5 dB (A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and L_{dn} values usually agree with one another within 1 dB (A). The Equivalent Noise Level (L_{eq}) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a

fluctuating noise. L_{eq} values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in decibel level of six decibels.

Guidance for appropriate long-term background noise levels for various land uses are established in the City General Plan Noise Element Land Use Compatibility Guidelines. Building codes also establish maximum average ambient noise levels for the interiors of structures.

High construction noise levels occur with the use of heavy equipment such as scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment generates noise levels of more than 80 or 90 dB(A) at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even higher, up to and exceeding 100 dB(A). Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the Santa Barbara Municipal Code) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Impact Evaluation Guidelines: A significant noise impact may result from:

- Siting of a project such that persons would be subject to long-term ambient noise levels in excess of Noise Element land use compatibility guidelines as follows:
 - Office Buildings: Normally acceptable maximum exterior ambient noise level of 75 dB (A); maximum interior noise level of 50 dB (A).
- Substantial noise from grading and construction activity in close proximity to noise-sensitive receptors for an extensive duration.

Noise – Existing Conditions and Project Impacts

7.a-b) Increased Noise Level; Exposure to High Noise Levels

Long-Term Operational Noise:

Noise affecting the project site is primarily from traffic along Anacapa and Victoria Streets. According to the City's Master Environmental Assessment (MEA), the portion of the project site located closest to Anacapa Street is in an area with a noise contour of between 60 and 65 dB (A). The remaining portion is in an area of less than 60 dB(A).

The existing noise level in the area is substantially lower than the normally acceptable maximum exterior ambient noise level of 75 dB(A). In addition, standard construction materials and techniques typically result in an exterior to interior noise attenuation of 15 to 20 dB (A). Therefore, both exterior and interior noise impacts to the proposed project would be less than significant.

Three parking lifts are proposed for six of the parking spaces located in the underground parking garage. A report from the parking lift manufacturer shows that the noise resulting from the raising of the lift platform would be 56-58 dB (A) (see *Exhibit E-Report of Sound Meter Measurements*). The sound level was measured at the key switch, which in the case of the proposed project, would be located underground, around the corner from the driveway and a substantial distance from adjacent residential neighbors. At this location, the sound level is less than the noise threshold for private outdoor living areas (60 dB (A)) and therefore, it would not have a negative impact on the outdoor living spaces of the neighbors in the vicinity. In regard to the effect on the employees at the project site, the proposed project must conform to the building code requirement that offices have a maximum interior exposure of 50 dB (A) due to exterior sources. Other activities at the project site would not be a substantial source of noise that would have the potential to adversely affect nearby residential uses. Therefore, long-term operational noise impacts are considered less than significant.

Temporary Construction Noise:

Noise during construction is generally intermittent and sporadic and, after completion of initial grading and site clearing activities, tends to be quieter. Noise generated during project grading activities would result in a short-term adverse construction impact to sensitive receptors in the area. The level of the adverse effect could be further reduced through limiting the hours of construction activities and use of equipment mufflers and barriers as needed. Temporary construction noise impacts are considered less than significant.

Noise – Recommended Mitigation

- N-1: Construction Notice.** At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.
- N-2: Construction Hours.** Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1st); Martin Luther King Jr.'s Birthday (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.
- Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. by the Chief of Building and Zoning per Section 9.13.015 of the Municipal Code) between the hours of 5 p.m. and 8 a.m. weekdays. In the event of such night work approval, the applicant shall provide written notice to all property owners and residents within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of any. Night work shall not be permitted on weekends and holidays.
- N-3: Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- N-4: Sound Barriers.** As determined necessary by the Planning Division, the project shall employ sound control devices and techniques such as noise shields and blankets during the construction period to reduce the level of noise to surrounding residents and businesses.

Noise – Residual Impact

Implementation of mitigation measures would further reduce less than significant short-term construction related noise impacts.

8. POPULATION AND HOUSING		NO	YES
Could the project:			Level of Significance
a)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?		Less Than Significant
b)	Displace existing housing, especially affordable housing?	X	

Population and Housing - Discussion

Impact Evaluation Guidelines: Issues of potentially significant population and housing impacts may involve:

- Growth inducement, such as provision of substantial population or employment growth or creation of substantial housing demand; development in an undeveloped area, or extension/ expansion of major infrastructure that could support additional future growth.
- Loss of a substantial number of housing units, especially loss of more affordable housing.

Population and Housing – Existing Conditions and Project Impacts

8.a) Growth-Inducing Impacts

The project would not involve a substantial increase in major public facilities such as extension of water or sewer lines or roads that would facilitate other growth in the area. The project would not involve substantial employment growth that would increase population and housing demand. Growth-inducing impacts would be less than significant.

8.b) Housing Displacement

The project would not involve any housing displacement because no housing is currently located onsite; therefore, *no impact* related to housing displacement would result from the project.

Population and Housing - Mitigation

No mitigation is required.

9. PUBLIC SERVICES	NO	YES
Could the project have an effect upon, or result in a need for new or altered services in any of the following areas:		<i>Level of Significance</i>
a) Fire protection?		Less Than Significant
b) Police protection?		Less Than Significant
c) Schools?		Less Than Significant
d) Maintenance of public facilities, including roads?		Less Than Significant
e) Other governmental services?		Less Than Significant
f) Electrical power or natural gas?		Less Than Significant
g) Water treatment or distribution facilities?		Less Than Significant
h) Sewer or septic tanks?		Less Than Significant
i) Water distribution/demand?		Less Than Significant
j) Solid waste disposal?		Less Than Significant

Public Services - Discussion

Issues: This section evaluates project effects on fire and police protection services, schools, road maintenance and other governmental services, utilities, including electric and natural gas, water and sewer service, and solid waste disposal.

Impact Evaluation Guidelines: The following may be identified as significant public services and facilities impacts:

- Creation of a substantial need for increased police department, fire department, road maintenance, or government services staff or equipment.
- Generation of substantial numbers of students exceeding public school capacity where schools have been designated as overcrowded.
- Inadequate water, sewage disposal, or utility facilities.
- Substantial increase in solid waste disposal to area sanitary landfills.

Public Services – Existing Conditions and Project Impacts

9a-b,d-f. Facilities and Services

The project site is located in an urban area where all public services are available. In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues Report (September 2005) that examined existing conditions associated with fire protection, police protection, library services, public facilities, governmental facilities, electrical power, and natural gas. The CTI Report specifically analyzed whether there were deficiencies existing or anticipated for each of the public services. The CTI report determined that police and fire protection services, and library services are being provided at acceptable levels to the City. In addition, the CTI Report determined that electricity, natural gas, telephone, and cable telecommunication services are being provided at acceptable service levels and utility companies did not identify any deficiencies in providing service in the future. Finally, the CTI Report determined that demand for City buildings and facilities will continue to be affected by growth, although no appropriate/acceptable levels of service have been established.

The project would be served with connections to existing public services for gas, electricity, cable, and telephone

traversing the site, as well as access to existing roads. The project is not anticipated to create a substantially different demand on fire or police protection services, library services, or City buildings and facilities than that anticipated in the CTI Report. Therefore, impacts to fire protection, police protection, library services, City buildings and facilities, electrical power, natural gas, telephone, and cable telecommunication services are anticipated to be less than significant.

9.c) Schools

The project site is served by the Santa Barbara Elementary and High School Districts for elementary and high school.

The project may result in a minor increase in area employees. It would be expected that some of the added employees would already reside in the area. Some portion of new employees may in-migrate or utilize local schools. The proposed project may generate new elementary and secondary students to the extent that new employment created by the project results in new residents to the area. Students generated by the proposed project could live and attend a school in any area of the South Coast. Some students generated by this project could also live outside the boundaries of the Santa Barbara School Districts or attend private schools.

None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. School impact fees would be applied to the project in accordance with State law. The project would not generate sufficient students to substantially impact school enrollment. School District Fees are also already required for new commercial and residential development to offset the cost to the school district of providing additional infrastructure to accommodate new students generated by the development. Therefore, project impacts to schools would be less than significant.

9.g,h,i) Water and Sewer

Water

The City of Santa Barbara's water supply comes from the following sources, with the actual share of each determined by availability and level of customer demand: Cachuma Reservoir and Tecolote Tunnel, Gibraltar Reservoir and Mission Tunnel, 300 Acre Feet per Year (AFY) of contractual transfer from Montecito Water district, groundwater, State Water Project entitlement, desalination, and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by displacing demand that would otherwise have to be supplied by additional sources. In 1994, based on the comprehensive review of the City's water supply in the Long Term Water Supply Alternatives Analysis (LTWSAA), the City Council approved the Long Term Water Supply Program (LTWSP). The LTWSP outlines a strategy to use the above sources to meet the projected demand of 17,900 AFY (including 1,500 AFY of demand projected to be met with conservation) plus a 10 percent safety margin for a total of 19,700 AFY. Therefore, the target for the amount of water the system will actually have to supply, including the safety margin, is 18,200 AFY. The 2003 Water Supply Management Report documents an actual system demand of 13,460 AFY and a theoretical commitment of 16,170 AFY. Of the total system production, 95% was potable water and 5% was reclaimed water.

In 2005, the City prepared a General Plan Update: 2030 Condition, Trends, and Issues Report (September 2005) that examined existing conditions associated with water supply, treatment, and distribution system, and specifically analyzed and determined that there were no existing or anticipated deficiencies for the next 20-year planning period based on a growth rate of 0.7% per year.

The existing development on the site demands 1.19 AFY of water. The proposed project is estimated to demand 1.76 AFY (based on the City's Water Demand Factor and Conservation Study "User's Guide" Document No. 2). Therefore, the change in water use would be approximately 0.57 AFY, which would not significantly impact the City's water supply.

The proposed project receives water service from the City of Santa Barbara. The proposed project is within the anticipated growth rate for the City and therefore, the City's long-term water supply and existing water treatment and distribution facilities would adequately serve the proposed project. The potential increase in demand from the proposed project would constitute a less than significant impact to the City water supply, treatment, and distribution facilities.

Sewer

The maximum capacity of the El Estero Treatment Plant is 11 million gallons per day, with current average daily flow 8.5 MGD. The Treatment Plant is designed to treat the wastewater from a population of 104,000. The proposed project's estimated net new sewer demand is 1.47 AFY or 1,318 gallons per day. Increased sewage treatment associated by the project can be accommodated by the existing City sewer system and sewage treatment plant, and would represent a less than significant impact.

9.j) Solid Waste Generation/ Disposal

Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2% annual increase (approximately 4000 tons per year) in solid waste generation over the 15-year period.

The County's threshold for project specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons/year]). Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50%. If a proposed project generates 196 or more tons per year after reduction and recycling efforts, impacts would be considered significant and unavoidable.

Proposed projects with a project specific impact as identified above (196 tons/year or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation [4000 tons/year], which equates to 40 tons per year, is considered an adverse cumulative impact.

Long-Term (Operational). The proposed project is estimated to generate 7.42 additional tons per year of solid waste as follows: (5,707 s.f. x .0013 TPY). With application of source reduction, reuse, and recycling, landfill disposal of solid waste could be reduced by 50%, to 3.71 tons per year. The project impact is considered less than significant because the waste generation would not exceed 40 tons per year.

Short-Term (Demolition and Construction). The solid waste generation/disposal thresholds adopted by the County do not apply to short-term construction projects. However, new construction, especially remodeling and demolition, represents the greatest challenge to maintaining existing diversion rates. Draft solid waste generation guidelines have been developed by the County of Santa Barbara; however, it should be noted that these numbers have not been adopted. Based on their guidelines, it is anticipated that the Project would generate 815 tons of waste for demolition and construction. According to the County's draft thresholds of significance, any construction, demolition or remodeling project of a commercial, industrial or residential development that is projected to create more than 350 tons of construction and demolition debris is considered to have a significant impact on solid waste generation. The proposed project would be considered to have a potentially significant, mitigable impact based on its construction-related solid waste generation, which is estimated to be approximately 815 tons. Although the 350 ton threshold has not been formally adopted by the City, the amount of construction waste anticipated to be generated by the project warrants mitigation. The implementation of a Solid Waste Management Plan that includes measures to reduce, re-use, and recycle construction and demolition waste to the extent feasible would reduce short-term waste disposal impacts to a less than significant level. Additionally, the applicant has proposed measures to reduce construction-related solid waste generation to the maximum extent feasible.

Public Services – Required Mitigation

PS-1 Solid Waste Management Plan. The Applicant shall develop and implement a Solid Waste Management Plan to reduce waste generated by construction and demolition activities. Consistent with City of Santa Barbara ordinances and in order to achieve the waste diversion goals required by state law, the Contractor may choose to separate waste and recyclables on-site or use a combination of source separation and a construction and demolition (C&D) sorting facility. The Solid Waste Management Plan shall include the following:

1. Contact information: The name and contact information of who will be responsible for implementing the Solid Waste Management Plan.
2. Waste assessment: A brief description of the proposed project wastes to be generated, including types and estimated quantities during the construction phase of this project. A minimum of 90% of demolition and construction materials shall be recycled or reused.
3. Recycling and waste collection areas: Waste sorting and/or collection and/or recycling areas shall be clearly indicated on the project plans and approved by the City Solid Waste Specialist.
4. Transportation: A description of the means of transportation of recyclable materials and waste (whether materials will be site-separated and self-hauled to designated centers, or whether mixed materials will be collected by a waste hauler and removed from the site to be processed) and destination of materials.

5. Landfill information: The name of the landfill(s) where trash will be disposed of and a projected amount of material that will be landfilled.
6. Meetings: A description of meetings to be held between applicant and contractor to ensure compliance with the site Solid Waste Management Plan.
7. Alternatives to landfilling: A list of each material proposed to be salvaged, reused, or recycled during the course of the Project.
8. Contingency Plan: An alternate location to recycle and/or stockpile C&D in the event of local recycling facilities becoming unable to accept material (for example: all local recycling facilities reaching the maximum tons per day due to a time period of unusually large volume).
9. Implementation and Documentation of Solid Waste Management Plan:
 - a. Manager: The Permit Applicant or Contractor shall designate an on-site party (or parties) responsible for instructing workers and overseeing and documenting results of the Solid Waste Management Plan for the Project Site Foreman. The contact will notify the Public Works Department immediately should any deviance from the Solid Waste Management Plan be necessary.
 - b. Distribution: The Contractor shall distribute copies of the Solid Waste Management Plan to the Job Site Foremen, impacted subcontractors, and the Architect.
 - c. Instruction: The Permit Applicant or Contractor shall provide on-site instruction of appropriate separation, handling, and recycling, salvage, reuse, and return methods to be used by all parties at the appropriate stages of project development.
 - d. Separation and/or Collection areas: The Permit Applicant or Contractor shall ensure that the approved recycling and waste collection areas are designated on site.
 - e. Construction of Recycling and Waste container facilities: Inspection shall be made by Public Works to ensure the appropriate storage facilities are created in accordance with AB 2176, California State Public Resources Code 42911 and City of Santa Barbara Zoning Ordinances.
 - f. Hazardous wastes: Hazardous wastes shall be separated, stored, and disposed of according to federal, state and local regulations.
 - g. Documentation: The Contractor shall submit evidence at each inspection to show that recycling and/or reuse goals are being met and a Summary of Waste Generated by the Project shall be submitted on a monthly basis. Failure to submit this information shall be grounds for a stop work order. The Summary shall be submitted on a form acceptable to the Public Works Department and shall contain the following information:
 - Disposal information: amount (in tons or cubic yards) of material landfilled; identity of the landfill; total amount of tipping fees paid at the landfill; weight tickets, manifests, receipts, and invoices (attach copies).
 - Recycling information: amount and type of material (in tons or cubic yards); receiving party; manifests, weight tickets, receipts, and invoices (attach copies).
 - Reuse and salvage information: list of items salvaged for reuse on project or campus (if any); amount (in tons or cubic yards); receiving party or storage location.
 - h. Contingency Plan: The Permit Applicant or Contractor shall detail the location and recycling of stockpiled material in the event of the implementation of a Contingency Plan.

Public Services - Residual Impacts

Implementation of the identified mitigation measures would reduce the impact of sold waste generation/ disposal to less than significant levels.

10. RECREATION		NO	YES
Could the project:			<i>Level of Significance</i>
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?		Less Than Significant
b)	Affect existing parks or other public recreational facilities?		Less Than Significant

Recreation - Discussion

Issues: Recreational issues are associated with increased demand for recreational facilities, or loss or impacts to existing recreational facilities.

Impact Evaluation Guidelines: Recreation impacts may be significant if they result in:

- Substantial increase in demand for park and recreation facilities in an area under-served by existing public park and recreation facilities.
- Substantial loss or interference with existing park space or other public recreational facilities such as hiking, cycling, or horse trails.

Recreation – Existing Conditions and Project Impacts

10.a) Recreational Demand

Currently within the City there are more than 1,800 acres of natural open space, park land and other recreational facilities. In addition, there are 28 tennis courts, 2 public outdoor swimming pools, beach volleyball courts, sport fields, lawn bowling greens, a golf course, 13 community buildings and a major skateboard facility. The City also offers a wide variety of recreational programs for people of all ages and abilities in sports, various classes, tennis, aquatics and cultural arts.

In 2005, the City prepared a General Plan Update: 2030 Conditions, Trends, and Issues (CTI) Report (September 2005) that examined existing conditions associated with recreation and parks. Population characteristics including income, age, population growth, education and ethnicity affect recreation interests and participation levels.

The National Recreation and Park Association (NRPA) has established park service area standards for various types of parks. The NRPA standards have not been adopted by the City; however, the standards do provide a useful tool for assessing park space needs. The CTI Report determined that, based on NRPA standards, there is an uneven distribution of parkland in the City, such that some areas of the City may currently be underserved with neighborhood and community parks, but overall the City has adequate passive, community, beach, regional, open space, and sports facility parks.

The development of the commercial office building may create a small increase in the demand for park and recreational opportunities in the general area. As indicated above, the City of Santa Barbara has ample parkland, albeit unevenly distributed throughout the City, and adequate recreation facilities. The proposed project would introduce additional employees into the Downtown neighborhood where the closest neighborhood park is Alameda Park. This park is within the NRPA ¼ to ½-mile radius standard of the proposed project site. People working at the project site would have access to this neighborhood park, as well as to other community, beach, regional, open space and sports facility parks, and all City recreation programs.

The minor increase in demand relative to recreational facilities would result in a less than significant impact to recreation because adequate recreation facilities are available.

10.b) Existing Recreational Facilities

The project site is located in the Downtown neighborhood of the city. Both Alameda Park and Alice Keck Park Memorial Gardens are located approximately one block to the north of the project. Other nearby recreational areas include the Waterfront and beaches. Given the number of existing recreational facilities and the slight increase in demand associated with the proposed development, impacts to existing recreational facilities would be less than significant.

Recreation - Mitigation

No mitigation required.

11. TRANSPORTATION/CIRCULATION		NO	YES
Could the project result in:			<i>Level of Significance</i>
a)	Increased vehicle trips? Long-Term Short-Term		Less Than Significant Less Than Significant
b)	Hazards to safety from design features (e.g. sharp curves, inadequate sight distance or dangerous intersections)?		Less Than Significant
c)	Inadequate emergency access or access to nearby uses?		Less Than Significant
d)	Insufficient parking capacity on-site or off-site?		Less Than Significant
e)	Hazards or barriers for pedestrians or bicyclists?		Less Than Significant

Transportation - Discussion

Issues: Transportation issues include traffic, access, circulation, safety, and parking. Vehicle, bicycle and pedestrian, and transit modes of transportation are all considered, as well as emergency vehicle access. The City General Plan Circulation Element contains policies addressing circulation, traffic, and parking in the City.

Impact Evaluation Guidelines: A proposed project may have a significant impact on traffic/ circulation/ parking if it would:

Vehicle Traffic

- Cause an increase in traffic that is substantial in relation to the existing traffic load and street system capacity (see traffic thresholds below).
- Cause insufficiency in transit system.
- Conflict with the Congestion Management Plan (CMP) or Circulation Element or other adopted plan or policy pertaining to vehicle or transit systems.

Circulation and Traffic Safety

- Create potential hazards due to addition of traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or that supports uses that would be incompatible with substantial increases in traffic.
- Diminish or reduce safe pedestrian and/or bicycle circulation.
- Result in inadequate emergency access on-site or to nearby uses.

Parking

- Result in insufficient parking capacity for the projected amount of automobiles and bicycles.

Traffic Thresholds of Significance: The City uses Levels of Service (LOS) "A" through "F" to describe operating conditions at signalized intersections in terms of volume-to-capacity (V/C) ratios, with LOS A (0.50-0.60 V/C) representing free flowing conditions and LOS F (0.90+ V/C) describing conditions of substantial delay. The City General Plan Circulation Element establishes the goal for City intersections to not exceed LOS C (0.70-0.80 V/C).

For purposes of environmental assessment, LOS C at 0.77 V/C is the threshold Level of Service against which impacts are measured. An intersection is considered "impacted" if the volume to capacity ratio is .77 V/C or greater.

Project-Specific Significant Impact: A project-specific significant impact results when:

- Project peak-hour traffic would cause a signalized intersection to exceed 0.77 V/C, or
- The V/C of an intersection already exceeding 0.77 V/C would be increased by 0.01 (1%) or more as a result of project peak-hour traffic.

For non-signalized intersections, delay-time methodology is utilized in evaluating impacts.

Significant Cumulative Contribution: A project would result in a significant contribution to cumulative traffic impacts

when:

- (a) Project peak-hour traffic together with other cumulative traffic from existing and reasonably foreseeable pending projects would cause an intersection to exceed 0.77 V/C, or
- (b) Project would contribute traffic to an intersection already exceeding 0.77 V/C.

Transportation – Existing Conditions and Project Impacts

11.a) Traffic

Long-Term Traffic

Transportation Planning Staff prepared a traffic trip generation analysis for the proposed project. A proposed building increase of 5,707 square feet was applied to an Institute of Transportation Engineers (ITE) trip generation rate for an assumed General Office land use designation. It is estimated that the proposed project would generate 15 additional AM peak hour trips, 15 additional PM peak hour trips and 112 average daily trips over the existing development.

When the vehicle trips generated by the project are distributed to the adjacent street network, it is not expected to exceed the City's standard threshold that would result in traffic impacts to the nearby intersections. Particular attention was given to the Carrillo Street at Highway 101 ramps as they are currently impacted. Staff determined that due to the proximity of the site to the north-bound Highway 101 ramp at Arrellaga Street, which is not impacted, the majority of north bound highway traffic would use the Arrellaga Street ramp and not impact the Carrillo Street intersection. Thus, the project would not generate project-specific or cumulative traffic impacts compared to the current use. Because medical/dental office, restaurant, bar/night club, or retail uses would result in increased traffic trip generation, these uses will be prohibited as a condition of approval. Therefore, the project impacts relative to long-term traffic would be less than significant.

Short-Term Construction Traffic

The entire project construction period would require approximately 12 months. Demolition and grading on the project site would take approximately 3 weeks and building construction would take approximately 11 months. Construction hours would be Monday through Friday, 8:00 AM to 5:00 PM.

The project would generate construction-related traffic that would occur over the 12-month construction period and would vary depending on the stage of construction. Temporary construction traffic is generally considered an adverse but not significant impact. In this case, given traffic levels in the area and the duration and timing of the construction process, short-term construction-related traffic would be a less than significant impact. Standard conditions of approval would be applied as appropriate, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic.

11.b,c, e) Access/ Circulation/ Safety

Access to the project site is provided by two existing driveways, one on Victoria Street and one on Anacapa Street. There are red curbs along the entire Victoria Street frontage, and along the Anacapa Street frontage, the curbs are red except for the area between the existing driveway and the northerly property line.

The proposed project includes the elimination of the driveway on Victoria Street, thereby reducing the potential for any vehicular and pedestrian conflicts on that side of the property. The existing driveway on Anacapa Street would be removed and a new driveway would be installed adjacent to the northern property line that leads to the underground parking garage. At this location, the wall of the structure would be a maximum height of 30" on either side of the driveway in order to meet sight visibility requirements. While Victoria Street's average daily traffic volume is approximately one half that of Anacapa Street, Staff determined that the additional distance from the intersection provided by an Anacapa Street driveway ramp versus a Victoria Street driveway ramp, resulted in Anacapa Street being the superior location. Also, with a Victoria Street driveway ramp, vehicle queuing impacts to the intersection could occur because the driveway ramp would be approximately 75 feet closer to the intersection than the proposed Anacapa Street driveway ramp. Additionally, red curb will be maintained on both streets precluding vehicles from stopping with the exception of approximately 50 feet south of the proposed driveway ramp. As part of the City Transportation Staff's ongoing street operations review, enhancements will be made as necessary to curb striping and intersection signal timing.

Currently, there are reciprocal easements for vehicular and pedestrian access and parking between the subject parcel and the adjacent parcel (109 E. Victoria St.). As part of the proposed project, new easement agreements between the two parcels would be executed. A new parking and access easement would allow tenants of the adjacent parcel to use eight of the parking spaces within the underground garage.

The proposed driveway would be adequate to serve the proposed project; therefore, project impacts to access, circulation and safety would be *less than significant*.

11.d) Parking

Existing Parking Supply and Parking Demand

The project site is currently developed with an 11,900 square foot two-story office building and 32 surface parking spaces, with eight of the existing parking spaces reserved for the adjacent parcel (109 E. Victoria St.).

Project Parking Supply and Parking Demand

The Zoning Ordinance requirement for the proposed 17,607 sq. ft. office building is 50 parking spaces (70 spaces less the 20% zone of benefit and less 10 % for a building over 10,000 sq. ft.). Properties which have a zone of benefit designation, due to their location in the downtown area, are subject to a reduction in the number of required parking spaces, as indicated in the Zoning Ordinance. With the inclusion of the additional eight parking spaces that would be reserved for the adjacent parcel, a total of 58 parking spaces would be needed onsite.

A total of forty-five parking spaces would be provided in an underground garage, with eight reserved for the adjacent parcel located at 109 E. Victoria Street. The project would provide 6 of the proposed parking spaces using a Klaus Parking lift system (Model 2062-185) whereby three spaces would accommodate six vehicles. Because the system does not require removing one vehicle to access another, the lifts are not considered tandem parking.

The applicant submitted a Parking Study prepared by Associated Traffic Engineers, dated September 12, 2007 (see *Exhibit F-Parking Study*), which concludes that the parking demand for the 50 commercial condominium units would be 37 parking spaces. The demand was calculated using the parking demand rate for General Office buildings located in downtown urban areas from the Institute of Transportation Engineers (ITE) Parking Generation report, along with a 20% reduction based on the City's zone of benefit. Because the project meets the estimated parking demand, there would be *no impact* to parking supplies in the project area.

Transportation - Mitigation

None required

12. WATER ENVIRONMENT		NO	YES
Could the project result in:			<i>Level of Significance</i>
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?		Less Than Significant
b)	Exposure of people or property to water related hazards such as flooding?		Less Than Significant
c)	Discharge into surface waters?		Potentially Significant, Mitigable
d)	Change in the quantity, quality, direction or rate of flow of ground waters?		Less Than Significant
e)	Increased storm water drainage?		Less Than Significant

Water – Discussion

Issues: Water resources issues include changes in offsite drainage and infiltration/groundwater recharge; storm water runoff and flooding; and water quality.

Impact Evaluation Guidelines: A significant impact would result from:

Water Resources and Drainage

- Substantially changing the amount of surface water in any water body or the quantity of groundwater recharge.
- Substantially changing the drainage pattern or creating a substantially increased amount or rate of surface water runoff that would exceed the capacity of existing or planned drainage and storm water systems.

Flooding

- Locating development within 100-year flood hazard areas; substantially altering the course or flow of flood waters or otherwise exposing people or property to substantial flood hazard.

Water Quality

- Substantial discharge of sediment or pollutants into surface water or groundwater, or otherwise degrading water quality, including temperature, dissolved oxygen, or turbidity.

Water Resources – Existing Conditions and Project Impacts

12.a,c,d,e) Drainage, Runoff and Water Quality

Long-Term

Currently, storm water runoff drains via surface flow to the public street gutters where it enters a 33" diameter and 66" diameter storm drain pipe through two drainage inlets located near the intersection of Anacapa Street and E. Victoria Street.

The City and State require that onsite capture, retention, and treatment of storm water be incorporated into the design of the project. Pursuant to the City's Storm Water Management Plan (SWMP) and the NPDES General Permit for Storm Water Discharges, the City requires that any increase in stormwater runoff (based on a 25-year storm event) be retained on-site and that projects be designed to capture and treat the calculated amount of runoff from the project site for a 1 inch storm event, over a 24-hour period.

A Preliminary Drainage Analysis prepared by InsiteCivil, Inc., dated September 7, 2007 (see *Exhibit G-Drainage Study*) indicates that the proposed project would result in a net decrease of 0.20 cfs for a 25-year storm event [1.4 cfs (existing) minus 1.2 cfs (proposed)]. Area drains would be located on the ground level podium, with connections to the underground garage and to the existing underground public storm water system. Finished grades would be designed to allow for overland release of peak flows resulting from the 100-year storm event. The proposed project would provide more landscaped areas, including a number of green roofs, resulting in a reduction in the amount of impervious area onsite. However, final project plans for grading, drainage, stormwater facilities, and project development have not yet been submitted and accepted by the City; therefore, long-term project impacts related to drainage are considered to be potentially significant, mitigable with the implementation of required drainage and water quality mitigation measure.

Short-Term

Project grading activities create the potential for erosion and sedimentation affecting water quality. Surface water quality impacts are therefore considered potentially significant, mitigable through implementation of erosion control measures. Numerous federal, state and local regulatory programs have been established to minimize impacts to water quality resulting from construction operations. Compliance with applicable regulations and the mitigation requirements provided below will reduce the potential for the proposed project to result in short-term construction-related water quality impact to a less than significant level.

12.b) Flooding

The project site is not located in a flood hazard zone or in an area prone to flooding. The flooding potential would not change following project construction, nor would the project substantially alter the course or flow of flood waters. Therefore, project impacts related to flooding are considered less than significant.

Water Resources – Required Mitigation

W-1 Drainage and Water Quality. Project plans for grading, drainage, stormwater facilities, and project development shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits. At a minimum, any increase in stormwater runoff (based on a 25-year storm event) shall be retained on-site, and the project shall be designed to capture and treat the calculated amount of runoff from the project site for a 1 inch storm event, over a 24-hour period. Sufficient engineered design and adequate mitigation measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water quality pollutants, or groundwater pollutants would result from the project.

W-2 Erosion Control/Water Quality Protection Plan. Prior to the issuance of a demolition permit for the proposed project, the applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the *Procedures for the Control of Runoff into Storm Drains and Watercourses* and the

Building and Safety Division *Erosion/Sedimentation Control Policy* (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.

At minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies:

- Paving and Grinding
- Sandbag Barriers
- Spill Prevention/Control
- Solid Waste Management
- Storm Drain Inlet Protection
- Stabilize Site Entrances and Exits
- Illicit Connections and Illegal Discharges
- Water Conservation
- Stockpile Management
- Liquid Wastes
- Street Sweeping and Vacuuming
- Concrete Waste Management
- Sanitary/Septic Waste Management
- Vehicle and Equipment Maintenance
- Vehicle and Equipment Cleaning
- Vehicle and Equipment Fueling

W-3 Minimization of Storm Water Pollutants of Concern. The Owner shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The approved facilities shall be maintained in working order for the life of the project.

W-4 Storm Drain System Stenciling and Signage. Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report to City annually.

Water Resources – Recommended Mitigation

W-5 Passive Drainage Techniques. Passive/nature water treatment design techniques such as bioswales, infiltration basins, etc, shall be incorporated into open space areas, groundcover, and courtyards to treat the small, frequent storm events that impact water quality in Santa Barbara (a 1 inch storm event, over a 24-hour period). These types of passive/natural capture and filtration design options shall be implemented as opposed to mechanical/underground options, which pose maintenance problems and often times, do not treat runoff as efficiently. These measures shall be incorporated into the drainage plan and shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits.


Water Resources – Residual Impact

Implementation of mitigation measure W-1 would reduce water quality impacts to less than significant. Implementation of mitigation measures W-2 through W-5 would reduce potentially significant short-term water resources impacts of the project to less than significant levels. Implementation of mitigation measure W-6 would further reduce less than significant impacts related to water quality.


MANDATORY FINDINGS OF SIGNIFICANCE.		YES	NO
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?		X
c)	Does the project have potential impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X
d)	Does the project have potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

INITIAL STUDY CONCLUSION

On the basis of this initial evaluation it has been determined that with identified mitigation measures agreed-to by the applicant, potentially significant impacts would be avoided or reduced to less than significant levels. A Mitigated Negative Declaration will be prepared.


 Initial Study Preparer

12/8/08
 Date


 Environmental Analyst

12/8/08
 Date

EXHIBITS:

- A. Vicinity Map
- B. Project Plans
- C. Mitigation Monitoring and Reporting Program (MMRP)
- D. Historic Landmarks Commission Minutes dated 2/21/07, 3/7/07 & 4/4/07
- E. Report of Sound Meter Measurements by Klaus Parking Systems Inc. dated December 13, 2006
- F. Parking Study prepared by Associated Transportation Engineers dated September 12, 2007
- G. Preliminary Drainage Analysis prepared by InsiteCivil, Inc. dated September 7, 2007

LIST OF SOURCES USED IN PREPARATION OF THIS INITIAL STUDY

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request:

Alternative Approaches to Analyzing Greenhouse Gas Emissions and Global Climate Change in CEQA Documents (Association of Environmental Professionals, June 29, 2007)

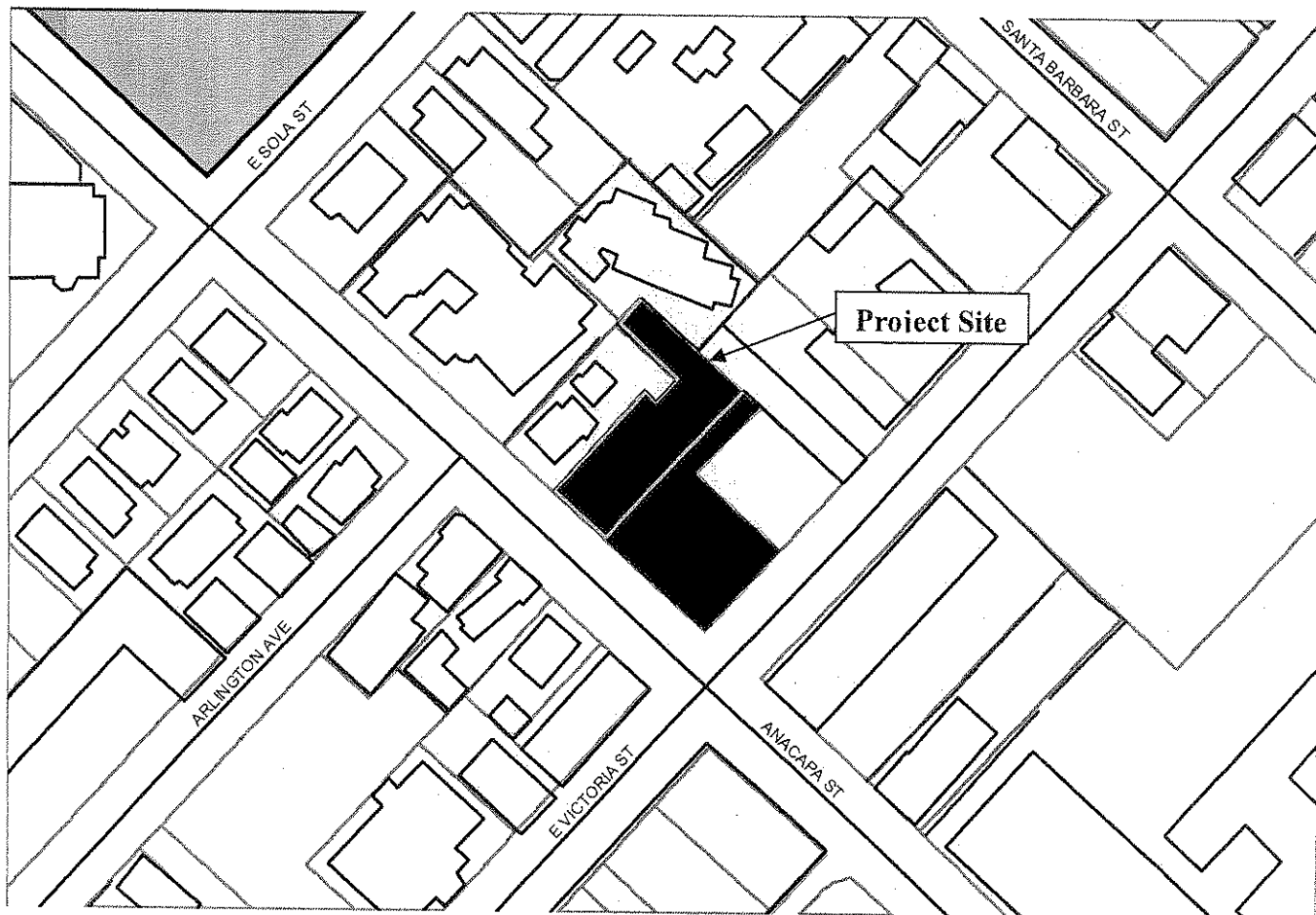
California Environmental Quality Act (CEQA) & CEQA Guidelines

General Plan Circulation Element

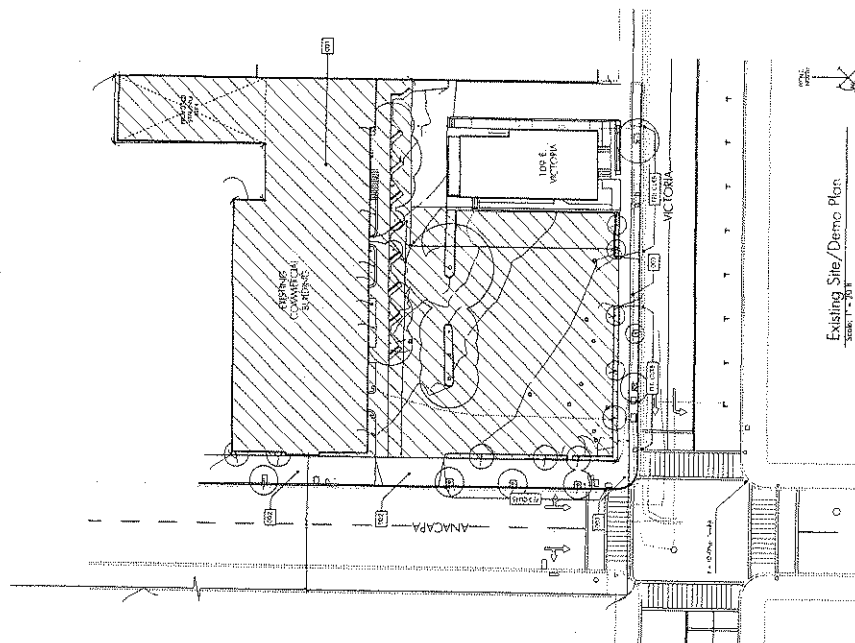
General Plan Conservation Element

General Plan Land Use Element

General Plan Noise Element w/appendices
General Plan Map
General Plan Seismic Safety/Safety Element
General Plan Update 2030: Conditions, Trends and Issues Report
Geology Assessment for the City of Santa Barbara
Institute of Traffic Engineers Parking Generation Manual
Institute of Traffic Engineers Trip Generation Manual
Master Environmental Assessment
2004 Housing Element
Santa Barbara County Draft Updated Solid Waste Thresholds
Santa Barbara Municipal Code & City Charter
Uniform Building Code as adopted by City
URBEMIS 2007 Version 9.2.4
Zoning Ordinance & Zoning Map
Phase I Archaeological Resources Report prepared by Dudek dated January 2008 (not available to the public)



Vicinity Map for 101 E. Victoria Street





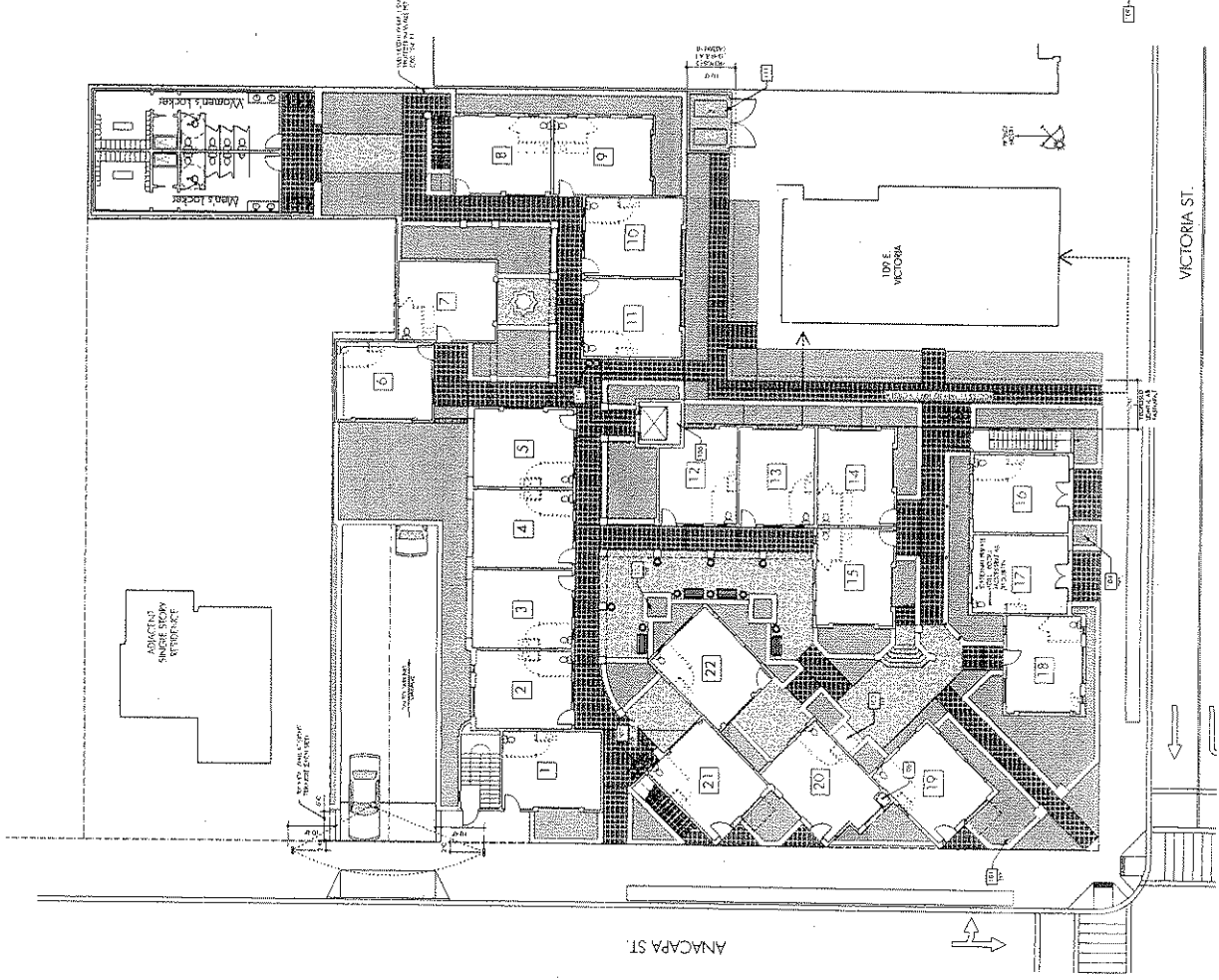
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DATE: 06/03/05	BY: [Signature]
REVISION:	
1. 06/03/05	Initial Design
2. 06/03/05	Final Design
3. 06/03/05	Final Design
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PLAN NOTES

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. ALL WALLS ARE 200MM THICK UNLESS OTHERWISE SPECIFIED.
3. ALL FLOORS ARE 100MM CONCRETE ON 50MM POLYSTYRENE INSULATION UNLESS OTHERWISE SPECIFIED.
4. ALL ROOFS ARE 150MM CONCRETE ON 50MM POLYSTYRENE INSULATION UNLESS OTHERWISE SPECIFIED.
5. ALL CEILING ARE 100MM CONCRETE ON 50MM POLYSTYRENE INSULATION UNLESS OTHERWISE SPECIFIED.
6. ALL DOORS ARE 2100MM HIGH BY 900MM WIDE UNLESS OTHERWISE SPECIFIED.
7. ALL WINDOWS ARE 2100MM HIGH BY 1200MM WIDE UNLESS OTHERWISE SPECIFIED.
8. ALL STAIRS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
9. ALL ELEVATORS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
10. ALL LIFT SHAFTS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
11. ALL MECHANICAL ROOMS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
12. ALL ELECTRICAL ROOMS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
13. ALL TELEPHONE ROOMS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
14. ALL JANUARY ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
15. ALL TOILETS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
16. ALL SHOWERS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
17. ALL BATHS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
18. ALL KITCHENS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
19. ALL DINING AREAS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
20. ALL LIVING AREAS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
21. ALL BEDROOMS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
22. ALL STUDIES ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
23. ALL OFFICES ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
24. ALL RECEPTION AREAS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
25. ALL LOBBIES ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
26. ALL CORRIDORS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
27. ALL STAIRWAYS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
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32. ALL JANUARY SHAFTS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
33. ALL TOILET SHAFTS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
34. ALL BATH SHAFTS ARE 1000MM WIDE UNLESS OTHERWISE SPECIFIED.
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First Floor Plan

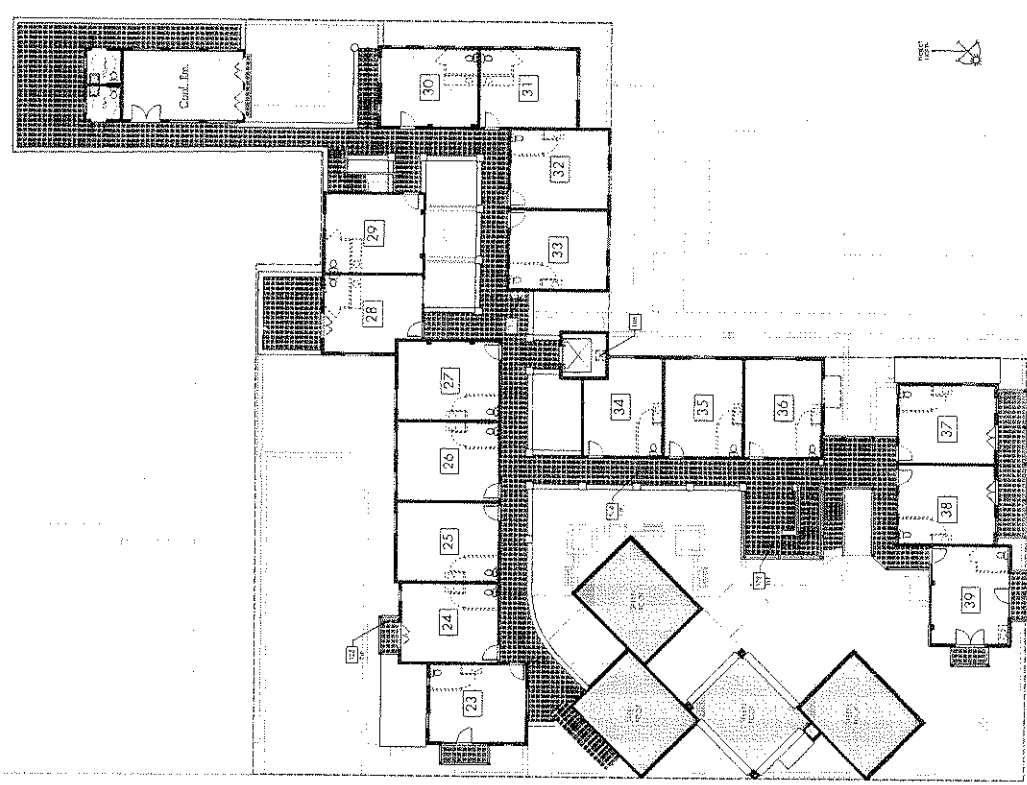
Garage/Basement Plan

Scale: 1/8" = 1'-0"

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4-102

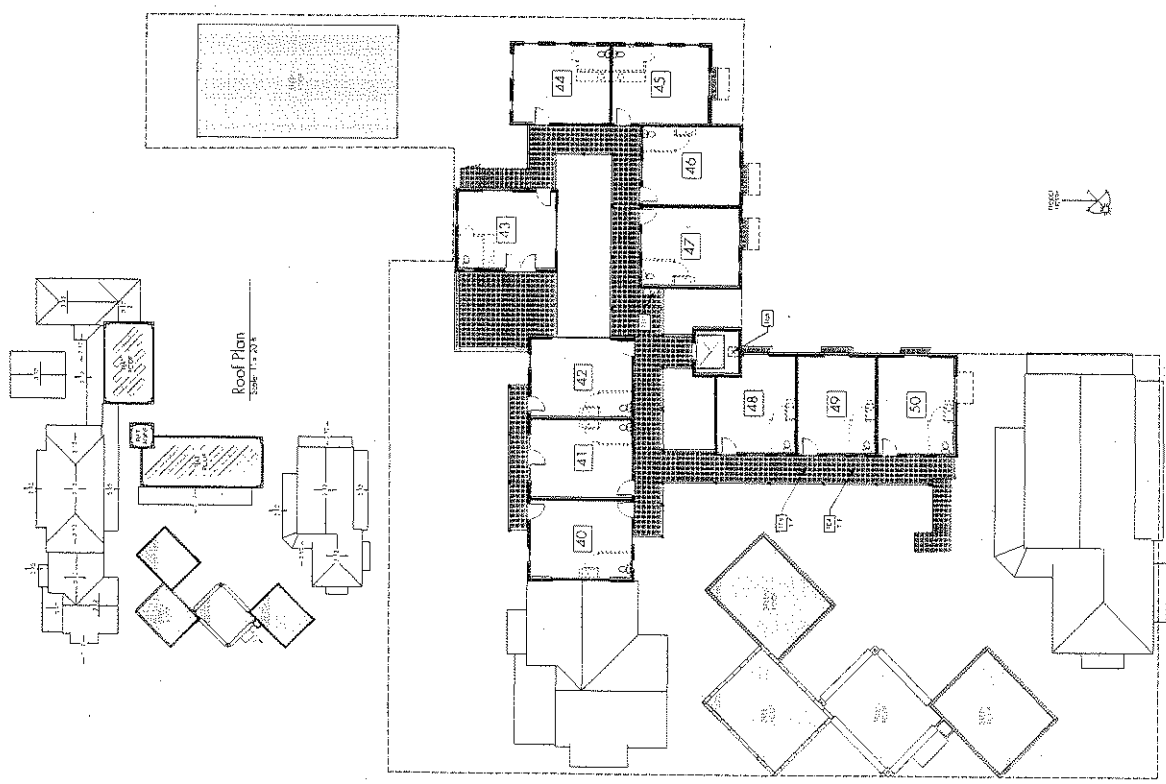
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PLAN NOTES

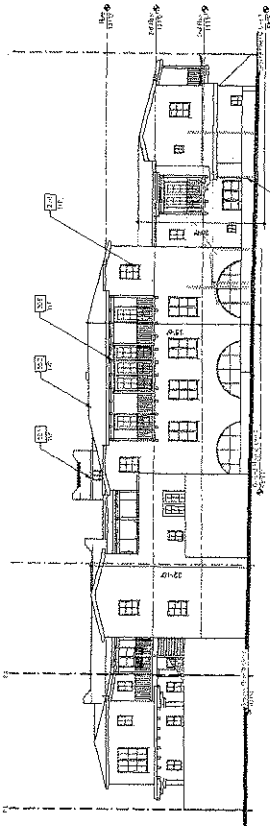
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Third Floor Plan

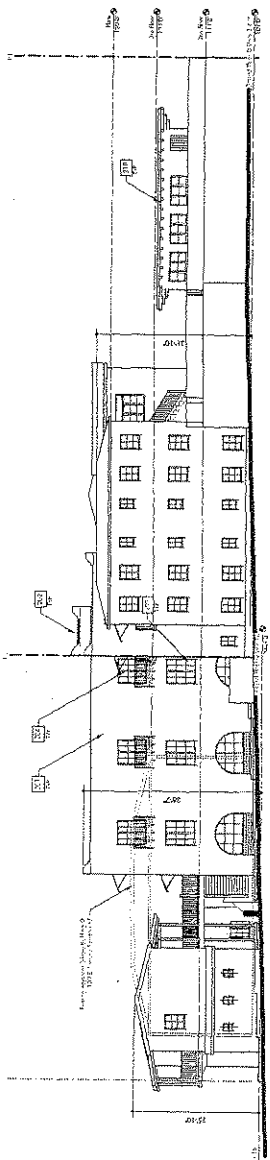


Roof Plan

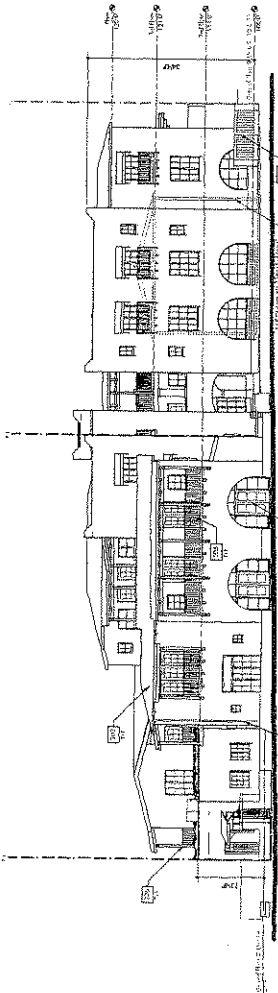
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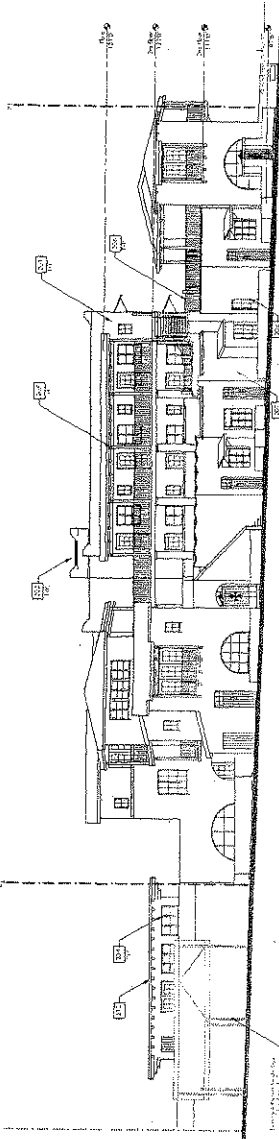
North Elevation



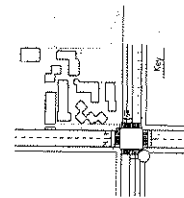
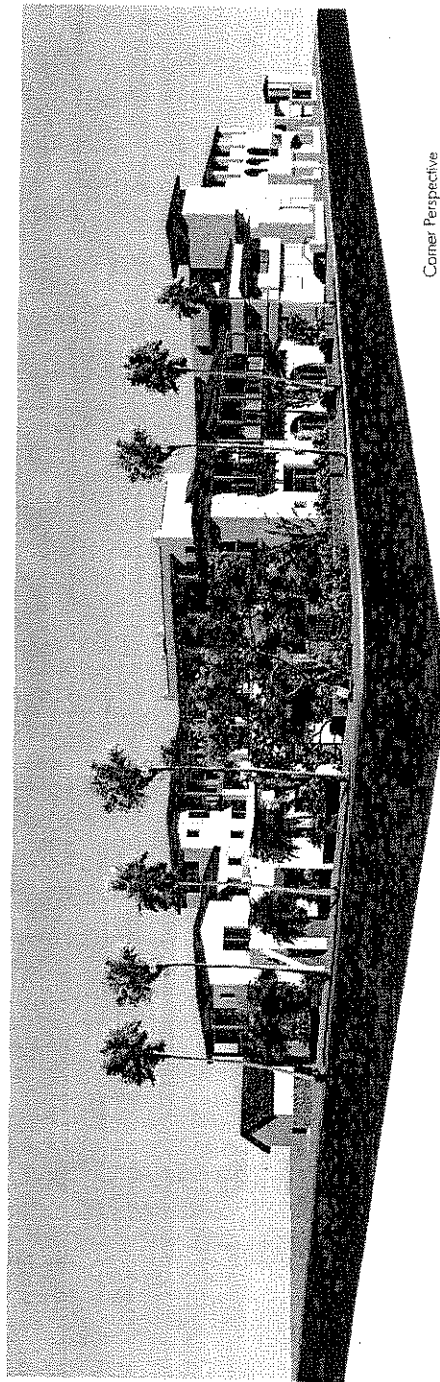
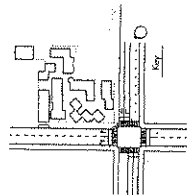
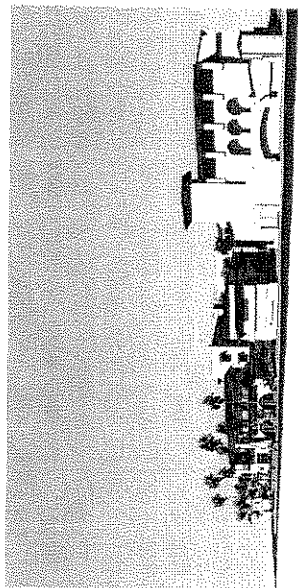
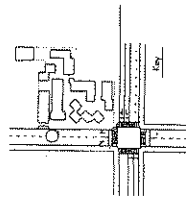
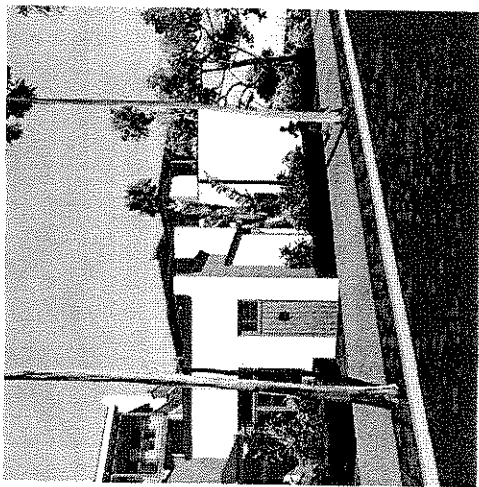
East Elevation



South Elevation (Victoria St.)



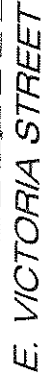
West Elevation (Anacapa St.)



LEGEND	
1	AREA - ENVIRONMENTAL PROTECTION
2	WATER
3	WATER USE
4	WATER SUPPLY
5	WATER QUALITY
6	WATER TREATMENT
7	WATER DISTRIBUTION
8	WATER CONSERVATION
9	WATER POLLUTION
10	WATER RESOURCES
11	WATER MANAGEMENT
12	WATER RESEARCH
13	WATER EDUCATION
14	WATER POLICY
15	WATER LEGISLATION
16	WATER ADMINISTRATION
17	WATER FINANCING
18	WATER INFRASTRUCTURE
19	WATER TECHNOLOGY
20	WATER SAFETY
21	WATER SECURITY
22	WATER RESILIENCE
23	WATER ADAPTATION
24	WATER MITIGATION
25	WATER PREVENTION
26	WATER PROTECTION
27	WATER PRESERVATION
28	WATER RESTORATION
29	WATER REPAIR
30	WATER REPLACEMENT
31	WATER REUSE
32	WATER RECYCLING
33	WATER REGENERATION
34	WATER RECHARGE
35	WATER REINJECTION
36	WATER REINFORCEMENT
37	WATER REINTEGRATION
38	WATER REINVESTMENT
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WATERS LAND SLIP
WLS
105 S. HOLLYWOOD AVENUE • SUITE 100
GLENDALE, CALIF. 91201 (714) 241-1100

DATE OF ORDER 2007-04-10
SUBJECT NAME 2007-04-10
WISCONSIN
SCALE 1.1 2.0



1000

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JAMES H. HARRIS
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 2. **Title:** [Title]
 3. **Journal:** [Journal]
 4. **Volume:** [Volume]
 5. **Issue:** [Issue]
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DATE: _____

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SAN FRANCISCO, CALIF. 94115

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AND WE'RE APPLYING TO THE EXTENSION OF THE SUBSIDIZATION OF THE PROPERTY AS SUCH, IN THE PLANS AND CERTAIN THAT THE AUTHORIZED AGENT OF THE LEGAL COMMENTS AND THAT THE INFORMATION SHOWN HEREIN IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

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BROOKS, JACOBSON, AND JACOBSON
ON THE PROBABILITIES OF
DATE: _____

WILLIAM C. MILLER, JR., 10000 13TH AVE. S.W., SEASIDE, CALIF. 94065

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At Washington, D.C.

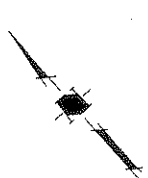
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Schwarz/101 E. Victoria
Santa Barbara, CA 93101

[illegible]

INSITE CIVIL, INCORPORATED
Professional Engineering Services
1844 Pine Street Suite 722 Van Nuys, CA 91411 (818) 759-0830



GRAPHIC SCALE
5 10 20
(in Feet)
1 inch = 10 feet

ESTIMATED CUT = 2,500 CUBIC YARDS
ESTIMATED FILL = 0 CUBIC YARDS

WATER QUALITY AND DRAINAGE NOTES

- [illegible]

FIRE SPRINKLER NOTES:

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ABBREVIATIONS

NEW
COUNTRY
GRADE, 18'x18'
Paved, 18'x18'
Paved, 18'x18'

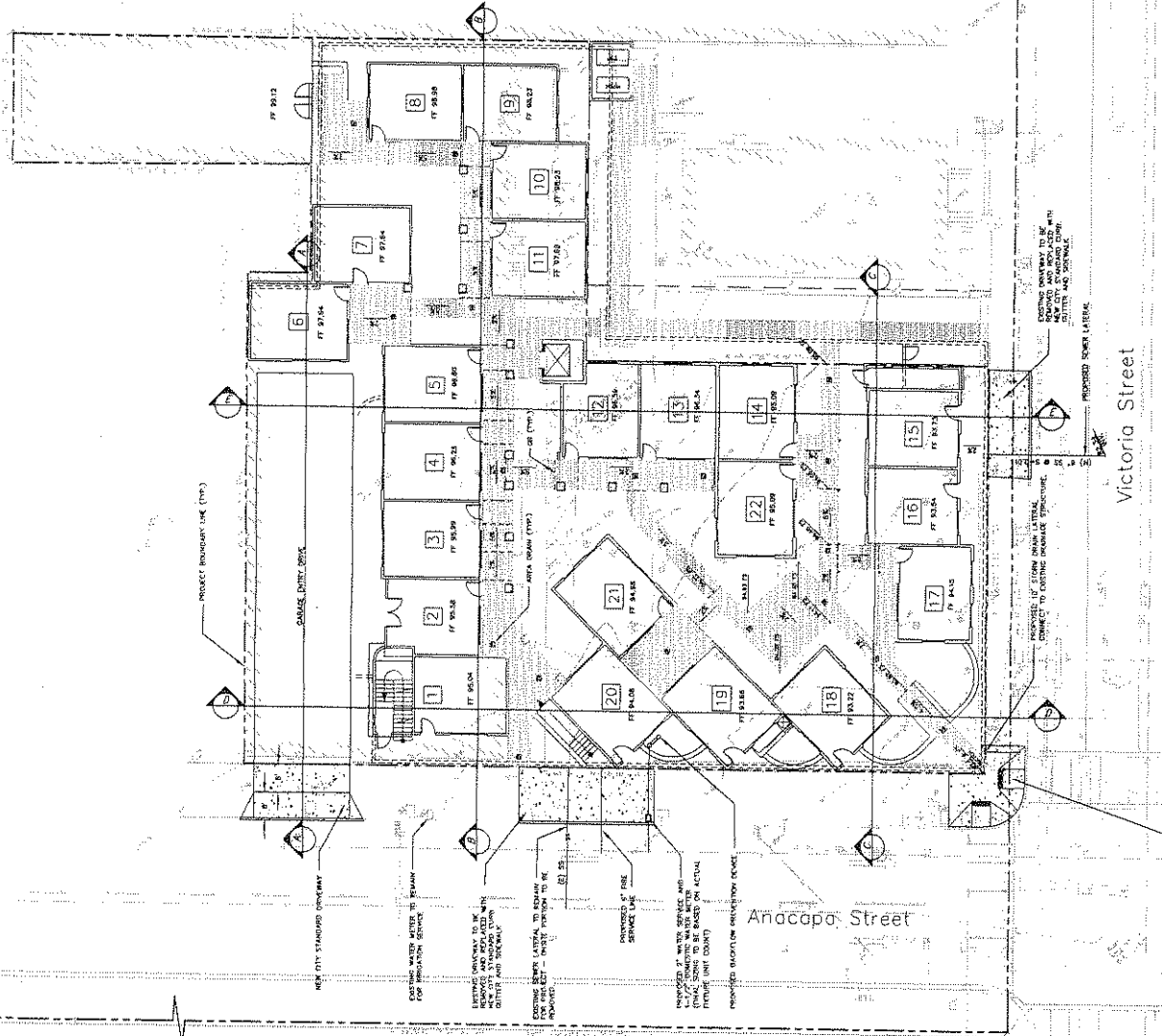
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5	CONCRETE	CY	100	1.50	150.00
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BENCHMARK

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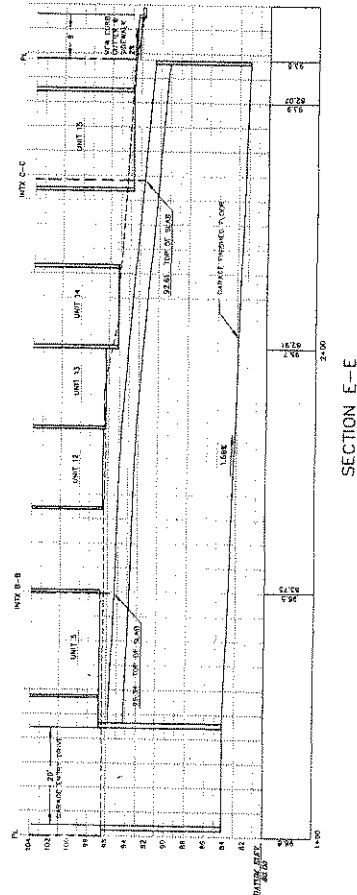
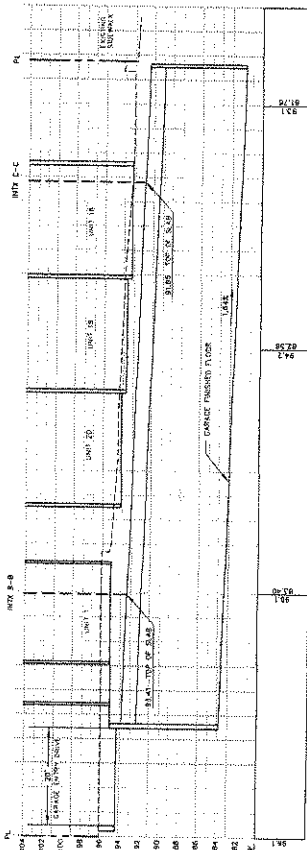
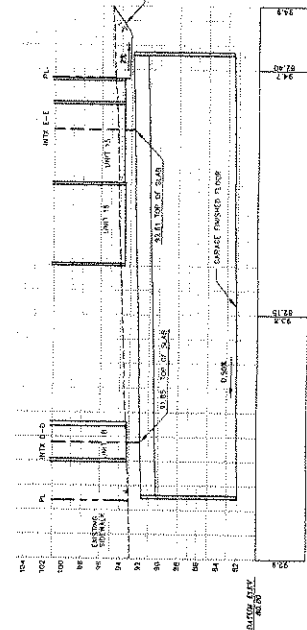
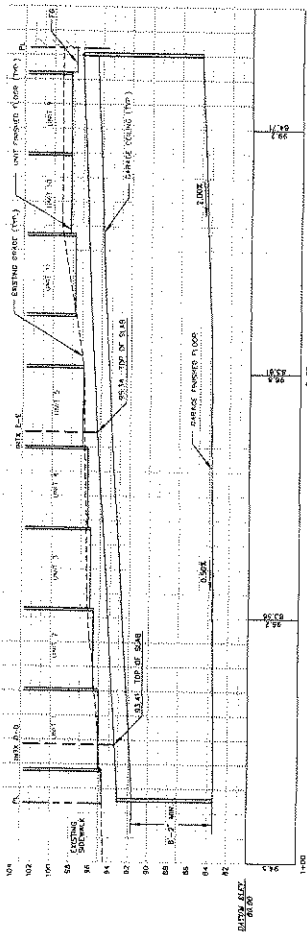
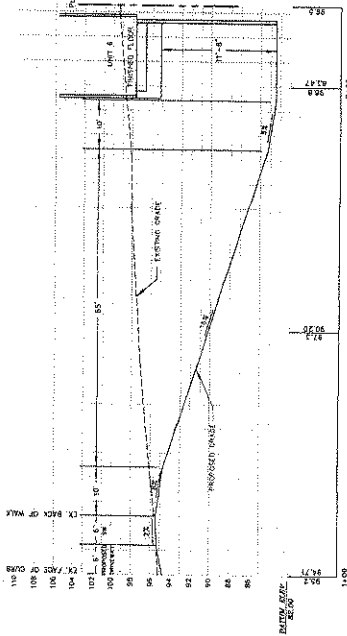
ELEVATION = 83.80
 ATUM = 4542 1829. 1940 ADJUSTMENT

OPOGRAPHIC SURVEY NOTE.

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PRELIMINARY GRADING & UTILITY PLAN (GROUND FLOOR)

PKL.M
SCALY: 1' = 10



SITE CROSS SECTIONS
SCALE: HOR. 1" = 10'; VERT. 1" = 5'

101 E. Victoria Street (MST2006-00758)

MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE

The purpose of the **101 E. Victoria Street Project** Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all mitigation measures identified in the Final Mitigated Negative Declaration to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by the applicant, consultants and representatives. The MMRP program shall apply to all of the actions occurring under the Permit for the 101 E. Victoria Street Project.

I. RESPONSIBILITIES AND DUTIES

A qualified representative from the applicant, approved by the City Planning Division and paid for by the applicant shall be designated as the Project Environmental Coordinator (PEC) for each department. The PECs shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City for actions undertaken under the 101 E. Victoria Street Project. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.

It is the responsibility of the applicant to comply with all mitigation measures listed in the attached MMRP matrix table. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC and the responsible department. Staff and/or contractors hired to do work under the 101 E. Victoria Street Project shall provide a schedule of activities for review and approval of the PEC. The staff or contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The respective PEC, staff, and contractor shall meet on a weekly basis in order to assess compliance and review future activities anticipated under the construction of the 101 E. Victoria Street Project.

A PRE-IMPLEMENTATION BRIEFING

The PECs shall prepare a pre-implementation briefing report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all personnel performing work under this permit.

The pre-implementation briefing shall be conducted by the PEC. The briefing shall be attended by the PECs, supervisors of staff working on the project, necessary consultants, Planning Division Case Planner, and all contractors and subcontractors associated with the project. Additional pre-construction briefings shall be conducted when changes in the PEC, staff working on the project, and a change in contractor occurs.

This MMRP shall be presented to those in attendance at the meeting. The briefing presentation shall include project background, the purpose of the MMRP, duties and responsibilities of each participant, communication procedures,

monitoring procedures, filling out of the mitigation monitoring matrix and summary reports, and duties and responsibilities of the PEC, staff, contractors, and project consultants.

It shall be emphasized at this briefing that the PECs and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

II. IMPLEMENTATION PROCEDURES

A. REPORTING PROCEDURES

The PEC for the applicant shall utilize the MMRP Matrix Table, as the basis for daily monitoring of activities approved as a part of the project. As long as no compliance with mitigation measure issues is identified on the completed matrix table, the MMRP forms shall be kept on file. If the PEC identifies non-compliance or other problems with mitigation measure issues, the completed forms shall be forwarded to the Planning Division. In addition, monthly summary reports and annual summary reports on the mitigation monitoring program shall be submitted to the Planning Division by the PEC.

B. MMRP MATRIX

The following MMRP Matrix Table provides each mitigation measure, identifies the responsible party, and allows the monitor to indicate the date monitoring occurred, whether the mitigation measure has been implemented, and comments on activities, if necessary.

The MMRP Matrix Table is intended to be used by all parties involved in monitoring the project mitigation measures, as well as project contractors and others working in the field. The Matrix Table shall be used as a compliance checklist to aid in compliance verification and monitoring requirements for all activities conducted under the 101 E. Victoria Street Project, whenever activities authorized under this permit are conducted. A copy of the MMRP matrix table shall be kept in the project file by the applicant as verification that compliance with all mitigation measures has occurred.

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
AQ-1 Construction Dust Control – Minimize Disturbed Area/Speed. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.	Applicant/ Contractor			
AQ-2 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.	Applicant/ Contractor			
AQ-3 Construction Dust Control – Tarping. Trucks transporting fill material to and from the site shall be covered from the point of origin.	Applicant/ Contractor			
AQ-4 Construction Dust Control – Gravel Pads. Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.	Applicant/ Contractor			
AQ-5 Construction Dust Control – Stockpiling. If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
AQ-6 Construction Dust Control – Disturbed Area Treatment. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by: <ul style="list-style-type: none"> A. Seeding and watering until grass cover is grown; B. Spreading soil binders; C. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind; D. Other methods approved in advance by the Air Pollution Control District. 	Applicant/ Contractor			
AQ-7 Construction Dust Control – Paving. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Applicant/ Contractor			
AQ-8 Construction Dust Control – PEC. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District upon request.	Applicant/ Contractor			
AQ-9 Portable Construction Equipment. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
AQ-10 Fleet Owners. Fleet owners are subject to sections 2449, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of regulations (CCR) to reduce diesel particulate matter (and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. See http://www.arb.ca.gov/regact/2007/ordies107/frocal.pdf .	Applicant/ Contractor			
AQ-11 Engine Size. The engine size of construction equipment shall be the minimum practical size.	Applicant/ Contractor			
AQ-12 Equipment Numbers. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.	Applicant/ Contractor			
AQ-13 Equipment Maintenance. All construction equipment shall be maintained in tune per the manufacturer's specifications.	Applicant/ Contractor			
AQ-14 Catalytic Converters. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.	Applicant/ Contractor			
AQ-15 Diesel Construction Equipment. Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.	Applicant/ Contractor			
AQ-16 Engine Timing and Diesel Catalytic Converters. Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
AQ-17 Diesel Replacements. Diesel powered equipment shall be replaced by electric equipment whenever feasible.	Applicant/ Contractor			
AQ-18 Idling Limitation. Idling of heavy-duty diesel trucks during loading and unloading shall be prohibited; electric auxiliary power units shall be used whenever possible.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
<p>CR-1 Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.</p> <p>If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.</p> <p>If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.</p>	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
H-1: The applicant shall continue all remediation activities as required by the Santa Barbara County Fire Department, Fire Prevention Division pursuant to the approved Corrective Action Plan concurrent with the construction proposed project. The applicant shall actively pursue, to the extent feasible, completion of remediation activities and closure of the LUFT site prior to occupancy of the proposed building or as soon following occupancy as possible. All necessary precautions required by the Fire Department for the protection of construction workers and tenants shall be implemented during the construction and operation of the site.	Applicant			
N-1: Construction Notice. At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners and residents within 450 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided. Informational signs with the PEC's name and telephone number shall also be posted at the site.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
N-2: Construction Hours. Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1 st); Martin Luther King Jr.'s Birthday (3 rd Monday in January); President's Day (3 rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4 th); Labor Day (1 st Monday in September); Thanksgiving Day (4 th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25 th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday. Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. by the Chief of Building and Zoning per Section 9.13.015 of the Municipal Code) between the hours of 5 p.m. and 8 a.m. weekdays In the event of such night work approval, the applicant shall provide written notice to all property owners and residents within 450 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of any. Night work shall not be permitted on weekends and holidays.	Applicant/ Contractor			
N-3: Construction Equipment Sound Control. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.	Applicant/ Contractor			
N-4: Sound Barriers. As determined necessary by the Planning Division, the project shall employ sound control devices and techniques such as noise shields and blankets during the construction period to reduce the level of noise to surrounding residents and businesses.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
PS-1 Solid Waste Management Plan. The Applicant shall develop and implement a Solid Waste Management Plan to reduce waste generated by construction and demolition activities. Consistent with City of Santa Barbara ordinances and in order to achieve the waste diversion goals required by state law, the Contractor may choose to separate waste and recyclables on-site or use a combination of source separation and a construction and demolition (C&D) sorting facility. The Solid Waste Management Plan shall include the following: <ol style="list-style-type: none"> 1. Contact information: The name and contact information of who will be responsible for implementing the Solid Waste Management Plan. 2. Waste assessment: A brief description of the proposed project wastes to be generated, including types and estimated quantities during the construction phase of this project. A minimum of 90% of demolition and construction materials shall be recycled or reused. 3. Recycling and waste collection areas: Waste sorting and/or collection and/or recycling areas shall be clearly indicated on the project plans and approved by the City Solid Waste Specialist. 4. Transportation: A description of the means of transportation of recyclable materials and waste (whether materials will be site-separated and self-hauled to designated centers, or whether mixed materials will be collected by a waste hauler and removed from the site to be processed) and destination of materials. 5. Landfill information: The name of the landfill(s) where trash will be disposed of and a projected amount of material that will be landfilled. 	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
<p>6. Meetings: A description of meetings to be held between applicant and contractor to ensure compliance with the site Solid Waste Management Plan.</p> <p>7. Alternatives to landfilling: A list of each material proposed to be salvaged, reused, or recycled during the course of the Project.</p> <p>8. Contingency Plan: An alternate location to recycle and/or stockpile C&D in the event of local recycling facilities becoming unable to accept material (for example: all local recycling facilities reaching the maximum tons per day due to a time period of unusually large volume).</p> <p>9. Implementation and Documentation of Solid Waste Management Plan:</p> <p>a. Manager: The Permit Applicant or Contractor shall designate an on-site party (or parties) responsible for instructing workers and overseeing and documenting results of the Solid Waste Management Plan for the Project Site Foreman. The contact will notify the Public Works Department immediately should any deviance from the Solid Waste Management Plan be necessary.</p> <p>b. Distribution: The Contractor shall distribute copies of the Solid Waste Management Plan to the Job Site Foremen, impacted subcontractors, and the Architect.</p> <p>c. Instruction: The Permit Applicant or Contractor shall provide on-site instruction of appropriate separation, handling, and recycling, salvage, reuse, and return methods to be used by all parties at the appropriate stages of project development.</p>				

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
<p>d. Separation and/or Collection areas: The Permit Applicant or Contractor shall ensure that the approved recycling and waste collection areas are designated on site.</p> <p>e. Construction of Recycling and Waste container facilities: Inspection shall be made by Public Works to ensure the appropriate storage facilities are created in accordance with AB 2176, California State Public Resources Code 42911 and City of Santa Barbara Zoning Ordinances.</p> <p>f. Hazardous wastes: Hazardous wastes shall be separated, stored, and disposed of according to federal, state and local regulations.</p> <p>g. Documentation: The Contractor shall submit evidence at each inspection to show that recycling and/or reuse goals are being met and a Summary of Waste Generated by the Project shall be submitted on a monthly basis. Failure to submit this information shall be grounds for a stop work order. The Summary shall be submitted on a form acceptable to the Public Works Department and shall contain the following information:</p> <ul style="list-style-type: none"> • Disposal information: amount (in tons or cubic yards) of material landfilled; identity of the landfill; total amount of tipping fees paid at the landfill; weight tickets, manifests, receipts, and invoices (attach copies). 				

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
<ul style="list-style-type: none"> Recycling information: amount and type of material (in tons or cubic yards); receiving party; manifests, weight tickets, receipts, and invoices (attach copies). Reuse and salvage information: list of items salvaged for reuse on project or campus (if any); amount (in tons or cubic yards); receiving party or storage location. h. Contingency Plan: The Permit Applicant or Contractor shall detail the location and recycling of stockpiled material in the event of the implementation of a Contingency Plan. 				
W-1 Drainage and Water Quality. Project plans for grading, drainage, stormwater facilities, and project development shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits. At a minimum, any increase in stormwater runoff (based on a 25-year storm event) shall be retained on-site, and the project shall be designed to capture and treat the calculated amount of runoff from the project site for a 1 inch storm event, over a 24-hour period. Sufficient engineered design and adequate mitigation measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water quality pollutants, or groundwater pollutants would result from the project.	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
W-2 Erosion Control/Water Quality Protection Plan. Prior to the issuance of a demolition permit for the proposed project, the applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the <i>Procedures for the Control of Runoff into Storm Drains and Watercourses</i> and the Building and Safety Division <i>Erosion/Sedimentation Control Policy</i> (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site. At minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies: <ul style="list-style-type: none"> • Paving and Grinding • Sandbag Barriers • Spill Prevention/Control • Solid Waste Management • Storm Drain Inlet Protection • Stabilize Site Entrances and Exits • Illicit Connections and Illegal Discharges • Water Conservation • Stockpile Management • Liquid Wastes • Street Sweeping and Vacuuming • Concrete Waste Management • Sanitary/Septic Waste Management • Vehicle and Equipment Maintenance • Vehicle and Equipment Cleaning • Vehicle and Equipment Fueling 	Applicant/ Contractor			

101 E. VICTORIA STREET PROJECT (MST2006-00758)
MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
W-3 Minimization of Storm Water Pollutants of Concern. The Owner shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The approved facilities shall be maintained in working order for the life of the project.	Applicant/ Contractor			
W-4 Storm Drain System Stenciling and Signage. Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project, and shall inspect at least annually and submit report to City annually..	Applicant/ Contractor			
W-5 Passive Drainage Techniques. Passive/nature water treatment design techniques such as bioswales, infiltration basins, etc, shall be incorporated into open space areas, groundcover, and courtyards to treat the small, frequent storm events that impact water quality in Santa Barbara (a 1 inch storm event, over a 24-hour period). These types of passive/natural capture and filtration design options shall be implemented as opposed to mechanical/underground options, which pose maintenance problems and often times, do not treat runoff as efficiently. These measures shall be incorporated into the drainage plan and shall be subject to review and approval by City Building Division and Public Works Department per City regulations prior to issuance of any building or public works permits.	Applicant/ Contractor			

CONCEPT REVIEW - NEW

5. 2 ROSEMARY LN

E-1 Zone

(2:02) Assessor's Parcel Number: 015-093-018
Application Number: MST2006-00546
Owner: Wesley Gibson
Landscape Architect: Bethany Clough

(This residence designed by Harriet Moody was determined to be landmark-worthy in an Historic Structures/Sites Report prepared by Post-Hazeltine Associates and accepted by the Historic Landmarks Commission on March 8, 2006. Proposal for a new swimming pool, spa, hardscaping, landscaping, and fencing on an 8,726 square foot parcel.)

(PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND HISTORIC RESOURCE FINDINGS.)

Present: Bethany Clough and Jack Kiebel, Landscape Architects
Wesley Gibson, Owner

Straw vote: How many of the Commissioners can support the use of interlocking cobble pavers in this instance? 7/0.

Motion: Preliminary approval and continued two weeks to the Consent Calendar with the following comments: 1) The Commission will support the use of the cobble pavers as proposed. 2) There shall be a reduction in the width of the driveway to the minimum required, with landscaping provided to the west. 3) There shall be an irregular edge on the outside edge of the pool. 4) As to the landscaping, it shall be in the palette of an English border planting, with more variety and more informality. 5) **Historic Resource Findings were made as follows:** The project will not cause a substantial adverse change in the significance of an historical resource.

Action: Boucher/Adams, 7/0/0. (Hausz absent.) Motion carried.

Mr. Adams will be reviewing the landscape design on the Consent Calendar.

CONCEPT REVIEW - NEW: PUBLIC HEARING

6. 101 E VICTORIA ST

C-2 Zone

(2:24) Assessor's Parcel Number: 029-071-013
Application Number: MST2006-00758
Owner: 101 East Victoria
Architect: Cearnal Andrulaitis, LLP

(Proposal to demolish an existing two-story 11,900 square foot commercial office building and construct a new three-story 17,659 square foot commercial building comprised of 50 condominium office units on a parcel of approximately 19,000 square feet. Forty-one parking spaces will be provided underground. Planning Commission approval is required for Transfer of Existing Development Rights, a Tentative Subdivision Map, the new Condominium Development, Development Plan Approval findings, and a Modification to provide less than the required amount of parking spaces.)

(COMMENTS ONLY) ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION

Present: Brian Cearnal and Joe Andrulaitis, Cearnal Andrulaitis Architects
Jonathan Starr, Ownership Partner

Public comment opened at 2:43 p.m.

Jim Westby, Vice-President of Santa Barbara Safe Streets, expressed opposition to a parking modification that would create a need for more commercial traffic. He commented that there should be an Environmental Impact Report (EIR) to determine the full impact on the City.

Virginia Rehling, neighbor, commented on the importance of having a setback and that one of the two-story units appears to be too close to the corner. She expressed concern about the possibility that on-street parking will have to be eliminated at the underground vehicle entry side of Anacapa Street. Ms. Rehling also asked if the areas with deep excavations have been deemed environmentally safe.

Kellam De Forest, local resident, expressed concern about access to the parking lot from Anacapa Street. He also asked how many parking spaces would be required if a modification is not requested.

Ms. Gantz responded that questions regarding the modifications and environmental impact issues need to be addressed at the Staff Hearing Officer hearing in the future.

Public comment closed at 2:49 p.m.

Straw vote: How many of the Commissioners would agree to defer discussion of the parking modification issue to the Planning Commission? 5/2.

The Commission, either individually or collectively, had the following comments, suggestions, and/or questions:

1. Asked how many parking spaces are required for the project. **Mr. Andrulaitis responded** that 60 parking spaces are required and 41 are being proposed.
2. There was a consensus that the size, bulk, and scale of the project are generally acceptable.
3. Expressed concern about the skewing of the units and how it integrates into the rest of the project.
4. There needs to be more variation in the layout and the scale.
5. The same-size units *do not* need to be expressed the same architecturally on the exterior of the buildings.
6. Expressed a desire for substantial landscaping on both the perimeter and interior of the courtyard.
7. Some Commissioners expressed a desire for a larger courtyard or internal landscape space; and that the internal landscape space be enhanced with fountains and other items of interest.
8. Expressed concern about the (setback) streetscape in front of the streetscape from Anacapa Street in response to public comment.
9. Would like substantial landscaping as the building approaches the sidewalk, being consistent with the street pattern, as Anacapa Street transitions into a residential neighborhood.

Motion: Continued two weeks.

Action: Adams/Naylor, 7/0/0. (Hausz absent.) Motion carried.

Present: Raymond Hicks, Owner and Architect

Public comment opened at 3:48 p.m.

Dovas Zaunius, neighbor, expressed concerns on the appropriateness of the project's size and the possible placement of foliage, or some form of barrier, between the proposed project and his family's residence.

Public comment closed at 3:50 p.m.

Motion: Continued two weeks with the following comments: 1) The style is consistent with the Commission's previous direction. 2) Increase the amount of landscaping wherever possible, particularly at the edges, and provide a space for a large scale tree to screen it from the adjoining properties. 3) The applicant should finesse the proportions of Unit 6. 4) Redesign the Unit 6 plan so that there is *not* an apparent entrance from Laguna Street. 5) The applicant should finesse the approach into the driveway leading to the subterranean parking. 6) The Commission would like to see the plan further developed in the direction it has taken. 7) Restudy the proportions of all the porch columns.

Action: Sharpe/Boucher, 6/0/1. (Adams abstained. Hausz absent.) Motion carried.

CONCEPT REVIEW – CONTINUED

11. 101 E VICTORIA ST

C-2 Zone

(4:08) Assessor's Parcel Number: 029-071-013
Application Number: MST2006-00758
Owner: 101 East Victoria
Architect: Cearnal/Andrulaitis, LLP

(Proposal to demolish an existing two-story 11,900 square foot commercial office building and construct a new three-story 17,659 square foot commercial building comprised of 50 condominium office units on a parcel of approximately 19,000 square feet. Forty-one parking spaces will be provided underground. Planning Commission approval is required for Transfer of Existing Development Rights, a Tentative Subdivision Map, the new Condominium Development, Development Plan Approval findings, and a Modification to provide less than the required amount of parking spaces.)

(Second Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL.)

Present: Brian Cearnal and Joe Andrulaitis, Architects
Eva Turenchalk, Hatch & Parent

Public comment opened at 4:12 p.m.

Jim Westby, local resident, expressed concern with the low amount of parking spaces being proposed.

Kellam De Forest, local resident, commented about increasing the parking spaces and asked if it would then affect the design of the project. He also asked what happened to making a transition, referring to the setback issue, from the residential area further up Anacapa Street. Mr. De Forest expressed concern about the management of additional traffic on Anacapa Street going into the parking area.

Ms. Gantz responded that any parking issues should be directed to the Planning Commission when the project goes before it for review.

Claudia Chyla, local resident, commented about the following: 1) That the development is too large in size, bulk, and scale for the corner lot; 2) keeping a village ambiance in the neighborhood; 3) green areas should be added; 4) asked whether the plan to have a 2nd and 3rd floor will actually take place; 5) the three buildings in front appear to be storage compartments and not dwellings; 6) asked about the business advertising, whether there will be a directory or signs outside; and 7) the entrance will block the cottage driveway and the exit/entrance to the Arlington Court underground parking.

Robert Chyla, local resident, commented about scaling down the project to two stories by eliminating business offices to soften the scale and make it more neighborhood-friendly.

Marilou Shiells, neighbor, commented on surrounding residences that will be impacted by the project and that the sense of community is compromised by hiding residential areas with high structures.

Dale Francisco, Santa Barbara Safe Streets, commented that the impact of insufficient parking is not only environmental and economical, but esthetic as well.

Public comment closed at 4:23 p.m.

Motion: Continued two weeks with the following comments: 1) There should be more of a setback from Anacapa Street with the provision of substantial landscaping in the range of a four to seven foot setback. 2) The courtyards should be visually open to the street. 3) A plan of the adjacent properties is requested. 4) The Commission would like to see a signage program, particularly as it affects the architecture. 5) Suggested fragmenting the third story buildings so that they appear to be two and three story buildings, as apposed to three-story blocks. Use parapets at one of the taller buildings as a way of tying it all together. 6) Requested a photo simulation to give a "walk-through" experience of the site. 7) The elimination of Unit 18 is suggested to open up the courtyard. 8) Suggested changing the address from Victoria Street to Anacapa Street. 9) The majority of the Commission supports the single-loaded balcony configurations.

Action: Adams/Sharpe, 7/0/0. (Hausz absent.) Motion carried.

PRELIMINARY REVIEW

12. 500 NIÑOS DR

P-R/SD-3 Zone

Assessor's Parcel Number: 017-382-002

Application Number: MST2002-00676

Owner: City of Santa Barbara

Agent: Tynan Group

Business Name: Santa Barbara Zoological Gardens

(Proposal for a new 1,450 square foot structure called "the Wave", to be located at the hilltop catering and concessions area at the Santa Barbara Zoological Gardens. The new structure will consist of a concessions area, catering room, restroom facilities, and a bridal changing room for wedding events. A trellis roof will provide shading for the outdoor areas. The existing building will be removed. This parcel is on the City's Potential Historic Resource List.)

(PROJECT REQUIRES COMPLIANCE WITH PLANNING COMMISSION RESOLUTION NO. 054-06.)

This item was postponed to March 31, 2007, at applicant's request.

CONCEPT REVIEW - CONTINUED

7. 101 E VICTORIA ST

C-2 Zone

(3:10) Assessor's Parcel Number: 029-071-013
Application Number: MST2006-00758
Owner: 101 East Victoria
Owner: Nick Schaar
Architect: Cearnal/Andrulaitis, LLP

(Proposal to demolish an existing two-story 11,900 square foot commercial office building and construct a new three-story 17,659 square foot commercial building comprised of 50 condominium office units on a parcel of approximately 19,000 square feet. Forty-one parking spaces will be provided underground. Planning Commission approval is required for Transfer of Existing Development Rights, a Tentative Subdivision Map, the new Condominium Development, Development Plan Approval findings, and a Modification to provide less than the required amount of parking spaces.)

(Third Concept Review.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL.)

Present: Brian Cearnal and Joe Andrulaitis, Architects

Chair La Voie acknowledged receipt of a letter from Paula Westbury and stated that an archaeological evaluation will be done on the site before any construction can proceed. (Copies of the letter were distributed to the Commission members.)

Chair La Voie emphasized that any issues related to parking need to be addressed at the Planning Commission meeting (that is tentatively scheduled for May 10, 2007).

Public comment opened at 3:21 p.m.

Virginia Rehling, neighbor, spoke about the aesthetics of the architecture. She commented that there is much landscaping in the neighborhood, yet she believes the proposed project has very little setback and landscaping. She asked several questions directed to the applicant, some of which will be considered at the Planning Commission.

Claudia Chyla, neighbor, spoke about the driveway on Anacapa Street, the size of the third story, softening of the balcony that is seen from the street, and noise issues. She asked about the project's type of architecture, the locker room/rest room area, skylights, and a low wall or railing to protect the edges.

Mr. Cearnal invited the public to call his office with questions regarding the project's design.

Kellam De Forest, local resident, stated that the Arlington Court has a generous setback. He requested that the setback continue on to Victoria Street in order to keep the City-to-residential transition intact, especially since there are still residential buildings on that block.

Robert Chyla, neighbor, asked if a study has been done as to whether the condo business market will sustain the same level of occupancy. If so, he asked how and where a copy of that study can be obtained. He asked about future sale and rental signs, owner-occupied units turned into rentals, the rules that will apply to occupants and how they will be enforced, and security to avoid the homeless from loitering and breaking into offices. He commented that the removal of the third floor with its eleven units would ease the parking situation and make the project more palatable.

Alan Rehling, neighbor across the street, requested that there be a lot of vegetation in the front to soften the building.

Public comment closed at 3:36 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments:
1) The size, bulk, and scale of the project are acceptable. 2) The Commission continues to be concerned about the limited amount of vegetation proposed, and desires as much planting and landscape screening as possible. 3) There is continuing concern about the development of the courtyard as a real open space. 4) The Commission looks forward to the continual refinement of the architectural design as it develops.

Action: Adams/Boucher, 5/0/0. (Murray/Naylor/Sharpe absent.) Motion carried.

CONCEPT REVIEW - CONTINUED

8. 631 GARDEN ST

C-M Zone

(3:51) Assessor's Parcel Number: 031-152-028
Application Number: MST2007-00089
Owner: City of Santa Barbara
Applicant: Renee Brooke
Architect: Paul Poirier

(Proposal for the interior and exterior remodel of an existing 3,746 square foot building and an existing 1,443 square foot building including the following improvements: Provide ADA compliant restrooms for new community arts workshop use. Provide new overhead door with man door and transom window in three existing open bays. Install new doors and windows in other existing openings. Site improvements to include replacing existing gates and fencing with new brick walls and wrought iron gates, changes to the parking layout to accommodate future City Water Department facility improvements, partial replacement of existing landscaping and new additional landscaping, and minor grading to allow for ADA accessibility. No additional floor area will be added.)

(Second Concept Review.)

(ACTION MAY BE TAKEN IF SUFFICIENT INFORMATION IS PROVIDED.)

Present: Paul Poirier and Katie Corliss, Poirier & David Architects
Renee Brooke, City Redevelopment Agency
Heather Baker, City Planning Division



Parking Systems Inc.

Report of Sound Meter Measurements

Date: December 13, 2006

Location: 3652 Chestnut Street, Lafayette, CA

Lift Type: 2062 Double Wide, 4 HP Three Phase Motor
(Same motor and pump as G61)

Sound Meter Data: Model 407727, Digital Sound Level Meter (Extech Instruments)
Accuracy: $\pm 2\text{dB}$ @ 94dB sound level

Sound Meter Settings: "A" Weighting, "Slow" Response

Measurements: Performed by Norman W. Brudigam, PE, Civil Engineer

Test No.	Test Conditions	Sound Levels
1	Background sound levels outside carport due to freeway traffic (1/2 mile away) and birds in adjacent tree.	51-55dB
2	Raising of platforms for double wide 2062 lift (applies to single wide also since it has the same motor). Reading taken at key switch, approximately 25' from motor. Motor mounted to rear wall at lift tested at driveway level. Motor is covered with sheet metal shroud.	56-58dB
3	Lowering of platforms for double wide 2062 lifts. Reading taken at key switch, approximately 25' from motor (motor not used for lowering)	53-54dB
4	Garage door opener (chain drive type). Reading taken 3 feet in front of door. Test was performed at neighboring residence.	60-67 db

Typical A Weighted Sound Level Data

50HP Siren (100')	135dB	Speech (1')	68dB
Jet Takeoff (200')	120dB	Large Store	62dB
Riveting machine	110dB	Large office	58dB
Chain Saw	100dB	Residence	48dB
Subway (20')	90dB	Night residential area	42dB
Freight train (100')	80dB	Whisper (5')	32dB
Vacuum cleaner (10')	72dB	Sound studio	24dB

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3652 Chestnut St., Suite A, Lafayette, CA 94549, 925.284.2092 Fax: 925.284.3365



ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.
Scott A. Schell, AICP

September 12, 2007

07028L04.WP

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521 ½ State Street
Santa Barbara, CA 93101

PARKING STUDY FOR THE 101 E. VICTORIA PROJECT CITY OF SANTA BARBARA, CALIFORNIA

Associated Transportation Engineers (ATE) has prepared the following parking study for the 101 E. Victoria Project, located in the City of Santa Barbara. The parking study reviews the City Zoning Ordinance parking requirements for the project and provides an analysis of the project's parking demands.

PROJECT DESCRIPTION

The project is proposing to demolish an existing 11,900 square-foot (S.F.) commercial building and construct a new 17,607 net S.F. commercial building at the northeast corner of Anacapa Street and E. Victoria Street in the City of Santa Barbara. The project site is located on the north side of Victoria Street, which is just outside the Central Business District (CBD) boundary. The site plan shows that 45 underground parking spaces would be provided at the project site. Of these 45 spaces, 8 spaces would be reserved through an easement for use by tenants of the property at 109 E. Victoria, resulting in 37 spaces available for the project.

CITY OF SANTA BARBARA ZONING ORDINANCE PARKING REQUIREMENTS

The City's Zoning Ordinance parking requirement was calculated for the project. Nonresidential projects located within the CBD require 1 parking space per 500 S.F. of floor area. Since the project site is located just outside the CBD, the Zoning Ordinance rate of 1 parking space per 250 S.F. of floor area would apply. The project site is also located within a parking "Zone of Benefit" area that allows a portion of the parking requirements be met off-

site in City parking lots. The 101 E. Victoria project's location within the designated "P1" Zone of Benefit entitles it to a 20% reduction in required parking. A 20% reduction factor was therefore applied to the parking requirement calculation. Buildings containing 10,000 to 30,000 S.F. are also entitled to a 10% reduction in required parking. Thus, a 10% reduction factor was applied to the parking requirement calculation. The calculation is summarized below in Table 1.

Table 1
101 E. Victoria Project
Zoning Ordinance Parking Requirements

Land Use	Size	Rate	Parking Requirement
Office	17,607 sf	1 space/250 sf	70 spaces
Zone of Benefit Reduction		80%	56 spaces
Reduction for buildings 10,000 sf - 30,000 sf		90%	50 spaces
Total			50 spaces

Note - floor areas measured in net square feet.

The data presented in Table 1 show that the Zoning Ordinance requirement for the project is 50 spaces. The 37 spaces (net) proposed for the site would not satisfy the zoning ordinance parking requirement.

PROJECT PARKING DEMANDS

Parking demand estimates were developed for the project based on the rates presented in the Institute of Transportation Engineers (ITE) Parking Generation report. The parking demand rate for General Office buildings located in downtown urban areas was used for the project. The 20% Zone of Benefit reduction factor was also applied to the parking demand calculation. Table 2 shows the parking demand estimate calculated for the project based on the rate derived from the Parking Generation Report.

Table 2
101 E. Victoria Project
Parking Demand Calculations - ITE Urban Rates


Land Use	Size	Rate	Parking Demand
Office	19,078 sf	2.40 spaces/1,000 sf	46 spaces
Zone of Benefit Reduction		20%	(9 spaces)
Total			37 spaces

Note - floor areas measured in gross square feet.

The data presented in Table 2 show that the parking demand for the project (excluding the Zone of Benefit spaces) is 37 spaces. The 37 spaces available for the project in the on-site parking garage would therefore satisfy the parking demand.

This concludes our parking analysis for the 101 E. Victoria Project.

Associated Transportation Engineers


Scott A. Schell, AICP
Principal Transportation Planner

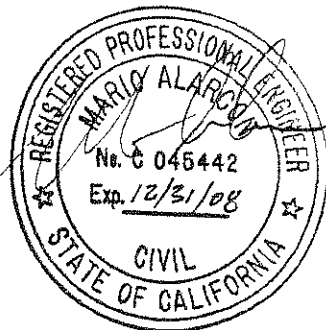
SAS/DLH/LDH

PRELIMINARY DRAINAGE ANALYSIS
FOR
PROPOSED COMMERCIAL OFFICE DEVELOPMENT
101 EAST VICTORIA STREET
SANTA BARBARA, CA

Prepared: September 7, 2007

By:

InsiteCivil, Inc.
1244 Pine Street, Suite 223
Paso Robles, CA 93446



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SEP 25 2007

CITY OF SANTA BARBARA
PLANNING DIVISION

EXHIBIT G

INTRODUCTION

The purpose of this report is to provide a preliminary drainage analysis for the proposed commercial office development at the northeast corner of Anacapa Street and E. Victoria Street in the City of Santa Barbara, CA. This report will address pre- and post development storm water runoff from the project site as well as storm water runoff quality.

I. EXISTING CONDITIONS

The site is bounded by Anacapa Street to the west, E. Victoria Street to the south, and existing buildings to the north and east. Site topography slopes gradually in a southerly direction towards the public streets. The site is currently developed and consists primarily of an approximately 9,529 square-foot office building and an approximately 11,700 square foot paved parking lot (includes 2,050 square feet of shared paved parking located on the adjacent property to the east).

Currently, site storm water runoff drains via surface flow to the public street gutters where it enters a 33" diameter and 66" diameter storm drain pipe through two drainage inlets located near the intersection of Anacapa Street and E. Victoria Street (Refer to Exhibit 1).

II. PROPOSED CONDITIONS

The project consists of a proposal to demolish the existing office building and parking lot and construct 50 condominium office units on three levels above an underground parking garage. In addition, the project proposes to demolish the shared paved parking area on the adjacent property to the east and replace it with a combination of decomposed granite paths, concrete walkways, and landscaping.

III. HYDROLOGY

Hydrology calculations for this site are based on the Rational Method, $Q=CIA$, where:

Q = Peak Runoff (cubic feet per second)
 C = Runoff Coefficient
 I = Rainfall Intensity (inches per hour)
 A = Drainage Area (acres)

Rainfall intensities are based on County of Santa Barbara hydrologic data. Assuming a conservative time of concentration ($T_c = 12$ minutes), the 25-year rainfall intensity is 3.2 in/hr.

Runoff coefficients used are $C=0.90$ for paved and roof areas and $C=0.20$ for landscaped or pervious areas.

Pre-Developed Conditions (Refer to Exhibit 1)

TOTAL PERVIOUS AREA	915 SF
TOTAL DRAINAGE AREA	21,514 SF
TOTAL IMPERVIOUS AREA	20,599 SF
%PERVIOUS AREA	4%
%IMPERVIOUS AREA	96%

25-Year Peak Runoff = 1.4 cfs

Post-Developed Conditions (Refer to Exhibit 2)

TOTAL PERVIOUS AREA	4644
TOTAL DRAINAGE AREA	21,514
TOTAL IMPERVIOUS AREA	16,870
%PERVIOUS AREA	22%
%IMPERVIOUS AREA	78%

25-Year Peak Runoff = 1.2 cfs

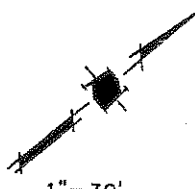
IV. CONCLUSIONS

The proposed project provides greater landscaping areas than currently exist on the site, reducing the overall impervious area. Therefore, the post-developed runoff will be less than the pre-developed runoff.

Area drains will be located on the ground level podium, plumbed into the garage basement below grade and connected to the existing underground public storm drain system in the street. This proposed on-site drainage system will be designed to convey the peak flow from a 25-year storm. Finished grades will be designed to allow for overland release of peak flows resulting from the 100-year storm event.

A trench drain will be provided at the bottom of the garage entry drive to capture and filter storm water before it is discharged into the public storm drain system.

Currently all parking is at grade and uncovered. Runoff flows overland and is not filtered before entering the public storm drain system. Since all proposed parking for the project will be at basement level, storm water quality should improve over existing conditions.



1"=30'

DRAINAGE BOUNDARY

TOTAL DRAINAGE AREA = 21,514 SF
TOTAL IMPERVIOUS AREA = 20,599 SF
TOTAL PERVIOUS AREA = 915 SF

EXISTING PLANTERS (TYP.)

Anacapa Street

EXISTING DRAIN INLET

EXISTING DRAIN INLET

FLOW DIRECTIONS
TYPICAL

PAVED PARKING LOT

109 EAST VICTORIA

PROPERTY LINE (TYP.)

EXISTING DRAIN INLET

Victoria Street

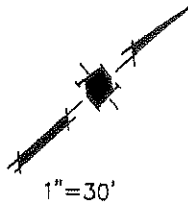
EXHIBIT 1
DRAINAGE AREA MAP
EXISTING CONDITIONS

Date: 9-7-07
Scale: As Noted
Designed: MA
Drawn: MA
Draw Name: VTEXDM

INSITE CIVIL, INC.
Professional Engineering Services
1244 Pine Street, Suite 223, Paso Robles, CA 93446 (805) 238-6840

Schaar/101 E. Victoria
Santa Barbara, CA 93101

TOTAL DRAINAGE AREA = 21,514 SF
 TOTAL IMPERVIOUS AREA = 16,870 SF
 TOTAL PERVIOUS AREA = 4,644 SF



DRAINAGE BOUNDARY

Anacapa Street

EXISTING DRAIN INLET

EXISTING DRAIN INLET

PLANTER-TYP.

109 EAST VICTORIA

EXISTING DRAIN INLET 8" PVC RAYTE
 PROPOSED 10" STORM DRAIN LATERAL
 CONNECT TO DRAINAGE STRUCTURE

Victoria Street

EXHIBIT 2
 DRAINAGE AREA MAP
 PROPOSED CONDITIONS

Date: 9-7-07
 Scale: As Noted
 Designed: MA
 Drawn: MA
 Draw Name: VTEXDM

INSITE CIVIL, INC.
 Professional Engineering Services
 1244 Pine Street, Suite 223, Paso Robles, CA 93446 (805) 236-6846

Schaar/101 E. Victoria
 Santa Barbara, CA 93101

101 E. VICTORIA STREET
FINAL MITIGATED NEGATIVE DECLARATION
RESPONSE TO COMMENTS
DECEMBER 8, 2008

INTRODUCTION:

An Initial Study was prepared for the 101 E. Victoria Street project because the California Environmental Quality Act (CEQA) requires that an environmental assessment of the proposed project be provided. The environmental analysis determined that the proposed project could potentially have significant adverse impacts related to air quality, hazards and water environment; however, mitigation measures described in the Initial Study and agreed to by the applicant would reduce potential impacts to less than significant levels. In addition, recommended mitigation measures were identified to further reduce less than significant impacts associated with air quality, cultural resources, noise, public services and water resources issues.

A Draft Mitigated Negative Declaration was prepared for the proposed project, and a public review period was held from November 10, 2008 to December 1, 2008. Comment letters were received from the following two members of the public during the comment period:

1. Trevor Martinson
2. Paula Westbury

On November 20, 2008 the Planning Commission conducted a public hearing to accept testimony regarding the Draft MND. The following individual provided verbal comments at the hearing:

1. Trevor Martinson

The Planning Commission did not provide any comments regarding the Draft MND.

Responses to the comments received regarding the Draft Mitigated Negative Declaration are provided below, and the comment letters received are attached.

The purpose of this document is to respond to specific comments received pertaining to environmental issues in the Draft MND. While letters of general support or opposition to the project are acknowledged and included in this document for the record, no formal response is provided. In addition, comments received not related to the environmental issues outlined in the Draft MND, such as land use issues and social or fiscal impacts of the project, are outside the scope and not addressed in this document. However, all comments will be forwarded to the City Council for consideration.

Letter No. 1
Trevor Martinson
December 1, 2008

1-1. Comment: Concerns regarding the proposed driveway location.

The comments express concerns regarding the location of the new driveway which is proposed on Anacapa Street rather than Victoria Street. The reasons stated are as follows: 1) that the speed limits and number of vehicles are higher on Anacapa Street; 2) that the proposed driveway is next to a residential driveway and that noise and exhaust fumes will be generated from vehicles exiting the garage; 3) that the project is located adjacent to a residential area; 4) that the driveway should be in a commercial area (Victoria St.) rather than a residential area; and 5) that this project should be required to locate the driveway as required for another project (210 W. Carrillo Street) to prevent impacts to the surrounding residential neighborhood.

Response: 1) City speed limits are 25 miles per hour on both Anacapa and Victoria Streets. While vehicle trips are higher on Anacapa Street than on Victoria Street, the proposed project will not negatively affect safety or service capacity in the vicinity. The relocation of the existing driveway on Anacapa Street to the northern property line will decrease unsafe vehicle conflicts by moving the potential vehicle conflict point further away from the Anacapa Street and Victoria Street intersection. The driveway location was reviewed and approved by the city's consulting traffic engineer. No significant traffic or circulation impacts were identified as a result of the proposed project.

2) With regard to vehicle exhaust fumes, the Initial Study evaluated the potential for the project to have long-term air quality impacts and it was determined that long-term emissions resulting from the proposed project would be substantially below significant thresholds adopted the Air Pollution Control District and the city of Santa Barbara. Therefore, no mitigation measures are required. In addition, no noise impacts from vehicles were identified as a result of the proposed project.

3) Refer to Response 1.

4) Refer to Response 1. Also, both potential driveway locations are in commercially zoned areas.

5) The 210 W. Carrillo Street project is not similar to the subject project in that the Carrillo St. project had the potential to change the circulation patterns in the surrounding residential neighborhood. The proposed project differs in that it maintains the existing circulation pattern, with access taken from the main corridor of Anacapa Street while moving the driveway further from the intersection. The city's consulting traffic engineer reviewed a potential Victoria Street access and recommended that it not be used due to the closer proximity to the intersection and the above mentioned vehicle conflicts.

1-2. Comment: Concerns regarding driveway location impacting historic resource.

The comments express concerns that the aforementioned issues with the driveway location impact the adjacent historic resource.

Response: As discussed in Response 1 above, the project is not projected to impact traffic or circulation in the surrounding neighborhoods. As stated on page 11 of the Mitigated Negative Declaration (MND), the existing residence north of the project site may be a historic resource

and is currently separated from the existing commercial building on the project site only by the residence's driveway. The proposed commercial building would be located farther away from the potentially historic residence than the existing building onsite. Impacts to historic resources from the project are considered to be less than significant.

- 1-3. **Comment:** Concerns regarding the contamination of the site.

Response: As discussed on page 14 of the MND, the property is an active leaking underground fuel tank (LUFT) site which is in the process of being remediated according to a Corrective Action Plan approved by the Santa Barbara County Fire Department, Fire Prevention Division. The site had been contaminated with hydrocarbons, VOCs, and lead. The remediation of the LUFT site has been ongoing and is near to meeting Federal, State and Local requirements. According to the Santa Barbara County Fire Department, the use of the existing commercial office building is not prohibited during remediation activities and the construction and operation of the new project would be allowed to occur concurrently with the remediation activities as well, if necessary.

At one point, it was thought that the project site may not be able to be cleaned to meet target cleanup goals and that either a deed restriction or notification may be required. A deed restriction is required on contaminated properties when there is an unacceptable cancer or health hazard risk which would prevent unrestricted use of the property. A deed notice is required when there is not a health risk associated with contamination, but the amount of contamination is above a de minimus standard. In this case, the contamination levels onsite have been reduced as a result of remediation activities to levels where the project is safe for commercial occupation and does not pose a health hazard that would likely require a deed restriction. It is the intent of the applicant to remediate the site to a level at which no deed notification is required as well. The applicant is currently working with the Fire Department to assess any residual contamination on the site and to determine any additional remediation that may need to occur. If deemed necessary by the Santa Barbara County Fire Department, the new building could require a vapor barrier to prevent migration of vapors into the building or parking structure; continued use of the vapor extraction system currently on the site; or excavation of contamination onsite prior to building. Implementation of the remediation action plan on the project site would mitigate any potential impacts related to exposure to hazardous materials to a less than significant level.

- 1-4. **Comment:** Concerns regarding driveway location and parking.

Response: Refer to response 1. Also, City staff verified that the parking rate data provided by ATE properly used the 3rd Edition of the Parking Generation Informational report of the Institute of Transportation Engineers (ITE). The ITE Parking Generation 3rd Edition is the standard reference material used by transportation professionals since 2004. The consulting transportation engineer, ATE, properly used land use code 701 from the Parking Generation Report (2007) developed for the project which defines offices uses in several categories. The Parking Generation Report states:

In reviewing the statistics for office parking demand, it was found that five of the basic office land uses had virtually no difference in parking demand characteristics.

The statement that the information of ATE's report was not based on the new edition database is incorrect.

- 1-5. **Comment:** Concerns regarding land use and zoning designations, general plan policies
Response: The project meets the projected parking demand as shown in the September 12, 2007 ATE Parking Study for the project. As discussed above and in Section 11 of the MND, no significant impacts are anticipated to the area parking supply as a result of the project.
- 1-6. **Comment:** Concerns that an Environmental Impact Report should be required
Response: The Initial Study determined that the proposed project may have a significant effect on the environment in regard to air quality (short-term), hazards and water resources; however, with the implementation of the mitigation measures, potentially significant impacts in all issue areas would be avoided or reduced to less than significant levels. Because there is no substantial evidence that the project may have a significant effect, CEQA Guidelines direct the preparation of a MND.

Letter No. 2
Paula Westbury
November 19, 2008

- 2-1. A handwritten letter was faxed to the City and is mostly illegible; however, it appears to be in opposition to the project. The comments appear to express general concerns regarding the proposed project and do not provide comments regarding the adequacy of the analysis provided by the Draft MND.

The following comments were provided by people who attended the environmental hearing on November 20, 2008.

Trevor Martinson. Comments provided by Mr. Martinson were similar to the comments provided in his letter dated December 1, 2008.

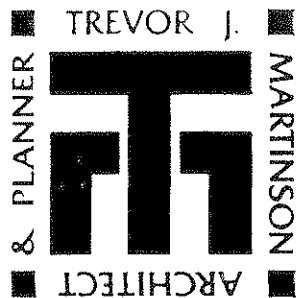
Response: Please refer to the responses provided for Letter No. 1 above.

The following comments regarding the Draft MND were provided by the Planning Commission.

No comments were provided by the Planning Commission.

CONCLUSION

The environmental analysis demonstrates that, with the identified mitigation measures agreed to by the applicant, the project as proposed would not result in significant environmental impacts. The project therefore qualifies for a Mitigated Negative Declaration and no further analysis of alternatives is required as part of the environmental document. However, comments regarding the merits of the project, design alternatives, land use compatibility with surrounding residential uses and other planning issues are forwarded to decision-makers in the context of their consideration of project permits and planning policy consistency.



1849 Mission Ridge
Santa Barbara
California 93103
(805) 965-2385

01 December 2008

Kathleen Kennedy
Planning Division, City of Santa Barbara
Community Development Department
630 Garden Street
P. O. Box 1990
Santa Barbara, CA. 93102-1990

Re: 101 East Victoria Street

Subject: DRAFT Initial Study and proposed
Mitigated Negative Declaration MST2006-00758

Dear Ms. Kennedy:

A review of the above referenced matter, based upon the draft Initial Study, indicates an unmitigated and significant adverse impacts to the general public and my clients Mr. and Mrs. Rolf Kowal who own the adjacent property just North of the proposed project. This Initial Study did not indicate a California Environmental Quality Act (CEQA) mandated review of the entire project record and the requirements, under CEQA, for using the Initial Study to help focus an Environmental Impact Report (EIR) on this projects many significant and obvious environmental impacts.

As you well know, there are 14 General Legislative Policies mentioned in CEQA both Explicit and Implicit including these important two: *"To require all agencies that regulate activities to give major consideration to preventing environmental damage while providing a decent home and satisfying living environment for every Californian."* And *"To provide the people of the state with clean air and water, enjoyment of aesthetic, natural, scenic, and historical environmental qualities, and freedom from excessive noise."*

As previously mentioned, in our appeal to the City Council on this project, several issues have been identified in the Initial Study which are contrary to the above General Legislative Policies mentioned in CEQA and they are:

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01 December 2008

Kathleen Kennedy

Page 2

DRIVEWAY LOCATION

11.b,c,e) Access/Circulation/Safety

The proposed Anacapa Street one point access/egress driveway to the new underground parking lot appears to ignore several important factors;

1. The speed limits and number of vehicles traveling downhill on Anacapa Street is much higher than the Victoria Street option.
2. The proposed driveway access is next to the residential driveway and residence of my clients at 1316 Anacapa and vehicles waiting to exit from this underground garage will generate noise and exhaust fumes while trying to merge into the crowded and fast one-way traffic flow. An example of this condition can be observed at the Wells Fargo Bank parking lot at 1036 Anacapa where traffic comes to a standstill while customers try to enter and exit the parking lot and thus, are effectively blocking one lane of traffic.
3. As this proposed project is adjacent to a residential area and furthermore, a historic resource at 1316 Anacapa these residential impacts can be avoided by relocating the access to the underground parking garage to Victoria Street where vehicle speeds and trips are much, much lower.
4. It makes clear sense, under CEQA, to place this driveway access on a commercially zoned area (Victoria Street) rather than the residential area.
5. Evidence to support item 4 above is the City response to comments on 210 West Carrillo Street, Radio Square Project, last April which said:

Comment 2-12, page 8 of 16, on concerns, regarding traffic, alternative transportation, access, cumulative traffic, trips associated with grading, interruption of traffic, noticing, alternate routes. Note the response which said: *"It was determined that ingress and egress from Carrillo Street would result in less traffic in the surrounding residential neighborhood than if ingress and egress were only allowed on De La Vina. Outbound turns onto Carrillo Street would be restricted to right turns only."* Clearly, the City here

01 December 2008

Kathleen Kennedy

Page 3

supported CEQA's General Legislative Policies mentioned at the beginning of this letter regarding residential areas. Why have you changed sides in this important issue in your Initial Study and evaluation of this project?

Changing the driveway location to Victoria Street and limiting exiting turns to a "right turn only" will result in less traffic and impacts to the surrounding residential neighborhood in compliance with CEQA Guidelines!

CULTURAL RESOURCES – EXISTING CONDITIONS and PROJECT IMPACTS

4.B) Historic Resources

The impacts and mitigation on 1316 Anacapa Street, which is mentioned, "may be an historic resource", in paragraph two of your report section is not factual. The increased separation of the historic building by the proposed underground driveway access does not begin to mitigate the impacts previously mentioned above in DRIVEWAY LOCATION 11.b,c,e) which addresses Access/Circulation/Safety; see my comment Items 1. to 5. Again, the higher speed and huge number of vehicles traveling down Anacapa Street to this new project will endanger and impact my client's property and the adjoining residential neighborhood as well.

HAZARDS – EXISTING CONDITIONS and PROJECT IMPACTS

6.a,b,c) Public Health and Safety

The severe contamination of this site, as documented by numerous letters and reports by Thomas M. Rejzek, Professional Geologist #6461, Certified Hydrogeologist #601 of the County of Santa Barbara Fire Department, who is in charge of the Leaking Underground Fuel Tank (LUFT) program indicates the contamination of this site even extends off this property and into the

01 December 2008

Kathleen Kennedy

Page 4

public right-of-way. Clearly, an EIR would be prudent in this circumstance for the public good if for no other reason. CEQA states an EIR must be prepared if a project will result in reasonably foreseeable indirect physical changes that may have a significant adverse effect on the environment. 14 Cal Code Regs §15064(d). The environment to be considered includes the area in which significant effects would occur, directly or indirectly. 14 Cal Code Regs §15360.

HAZARDS – REQUIRED MITIGATION

H-1: This paragraph, citing remediation activities, "to the extent feasible" and implies future closure of this LUFT site is not acceptable under CEQA. The County Fire Department, in correspondence with the City and the applicant/owner, has indicated that this site would likely not be cleaned up to target cleanup goals and that mitigation measures shall be included in the proposed new building design. There is also mentioned the likelihood, due to the contamination of the public right-of-way, that a deed notification or deed restriction will be placed on this property and will require the City's agreement in this matter.

No mention of these issues in the Initial Study. Why have they been omitted or overlooked? CEQA surely will require a EIR on this issue alone!

TRANSPORTATION - EXISTING CONDITIONS and PROJECT IMPACTS

11.b,c,e Access/Circulation/Safety

See Driveway Location, page 2 and 3 of this letter.

For reasons mentioned above on page 2 and 3 we must respectfully disagree with staff that the Anacapa Street driveway ramp is a superior location. No

01 December 2008

Kathleen Kennedy

Page 5

consideration was given to the danger of higher vehicle speeds coming down Anacapa Street which, in fact, reduces the additional distance staff indicates as superior for the distance traveled to the intersection of Victoria Street. The only other reason for a Anacapa access is to allow this property the option to change its address to an Anacapa identity in the future.

11.d) Parking

We agree that the project should comply with the Zoning Ordinance requirements for parking of 58 spaces including the 8 spaces reserved for the adjacent parcel next door. The Parking Study, prepared by Associated Traffic Engineers, is based on the Institute of Transportation Engineers (ITE) publication of PARKING GENERATION. This 3 page letter from Associated Traffic Engineers did not indicate the edition of the publication they used. My sources of information indicates an updated 3rd edition includes significant amount of new data; reorganization of several existing land use categories; new presentation of peak demand rates based on time of day distribution; and additional quantitative and qualitative information on the influence of numerous factors on parking demand rates. The Parking Study identified a parking demand rate for General Office Buildings located in downtown urban areas. This project is a 50 unit Condominium Building located in a split residential and commercial use area. This report did not provide adequate information on the influences of numerous factors which are now part of the new edition database i.e.; Parking Demand Statistics and Data Plots; Study Sites/Years; Data Base Description, etc. This Parking Study is incomplete and useless for the intended project specific parking requirements. This project, under any given circumstances, should comply and meet the minimum Zoning Ordinance Parking requirements of the City of Santa Barbara.

This is not the City of Los Angeles, let's keep it that way!

01 December 2008

Kathleen Kennedy

Page 6

PLANS and POLICY DISCUSSION

Land Use and Zoning Designations:

The proposed project is **not** consistent with the C-2, Commercial Zoning as it cannot meet the minimum parking requirements for the size of the project. The parking modification, as proposed will create added impacts on the existing residential area by increasing traffic and competition for fewer street parking spaces on the adjacent streets surrounding this project. This project should be reduced to the appropriate size which will accommodate all required parking spaces on site!

General Plan Policies:

The Land Use Element statement appears to forget this site is located adjacent to the Downtown Area and is still is a residential neighborhood. The dividing line between the Downtown Commercial C-2 zone and the residential area is on Victoria Street on the South Side of that street. This project abuts existing residential areas to the North of the project site and must respect this adjacency.

The Size, Bulk and Scale of this project towers over the adjacent residential areas and should be reduced in size and height to respect the residential character of the neighborhood. A revised two story project with single story elements at the perimeter areas facing the residential neighborhood would allow this project to fit into the site and not be imposing on the existing single story residences on Anacapa Street.

01 December 2008

Kathleen Kennedy

Page 7

The Mandatory Findings of Significance a), b), c), and d) on this Initial Study and Conclusion are wrong. There are potential Significant Impacts on findings a), b), c) and d) which require a EIR per CEQA Guidelines.

Thank you for the opportunity to comment on this Draft Initial Study. Please feel free to contact me if there are any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Martinson", with a long horizontal line extending to the right.

Trevor J. Martinson
Architect, Planner and Forensic

1849 Mission Ridge Road
Santa Barbara, CA. 93103-1857

(805) 965-2385
FAX 965-5457

Xc: Mr. & Mrs. Rolf Kowal

